

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

 FIFTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 26, 1999

The House of Representatives convened at 12:00 noon and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dorman	Holberg	Lieder	Ozment	Stang
Abrams	Dorn	Holsten	Lindner	Paulsen	Storm
Anderson, B.	Entenza	Howes	Luther	Pawlenty	Swenson
Anderson, I.	Erhardt	Huntley	Mahoney	Paymar	Sykora
Bakk	Erickson	Jaros	Mares	Pelowski	Tingelstad
Biernat	Finseth	Jennings	Mariani	Peterson	Tomassoni
Bishop	Folliard	Johnson	Marko	Pugh	Trimble
Boudreau	Fuller	Juhnke	McCollum	Rest	Tuma
Bradley	Gerlach	Kahn	McElroy	Reuter	Tunheim
Broecker	Gleason	Kalis	Milbert	Rhodes	Van Dellen
Buesgens	Goodno	Kelliher	Molnau	Rifenberg	Vandever
Carlson	Gray	Kielkucki	Mulder	Rostberg	Wagenius
Carruthers	Greenfield	Knoblach	Mullery	Rukavina	Wejzman
Cassell	Greiling	Koskinen	Murphy	Schumacher	Wenzel
Chaudhary	Gunther	Krinkie	Ness	Seagren	Westerberg
Clark, J.	Haake	Kubly	Nornes	Seifert, J.	Westfall
Clark, K.	Haas	Kuisle	Olson	Seifert, M.	Westrom
Daggett	Hackbarth	Larsen, P.	Opatz	Skoe	Wilkin
Davids	Harder	Larson, D.	Orfield	Skoglund	Winter
Dawkins	Hasskamp	Leighton	Osskopp	Smith	Wolf
Dehler	Hausman	Lenczewski	Osthoff	Solberg	Workman
Dempsey	Hilty	Leppik	Otremba	Stanek	Spk. Sviggum

A quorum was present.

Munger was excused until 12:30 p.m. McGuire was excused until 2:30 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. Anderson, B., moved that further reading of the Journals be suspended and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 22, 1999

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 40, relating to health; allowing a nursing home resident to request and consent to the use of a physical restraint; requiring certain actions by the commissioner of health with respect to immediate jeopardy citations.

H. F. No. 463, relating to health; providing for review of ambulance services and first responders.

H. F. No. 836, relating to business organizations; regulating business corporations; defining terms; modifying the authority to grant restricted stock; regulating take-over offers; providing for name changes in certain circumstances; regulating mergers and exchanges; making clarifying and technical changes; removing ambiguities; regulating limited liability companies; eliminating unnecessary provisions; correcting terminology; regulating member control agreements and dissolutions; providing for the duration of certain companies; making conforming changes required by the enactment of the revised Uniform Partnership Act.

H. F. No. 1037, relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws.

Sincerely,

JESSE VENTURA
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1999</i>	<i>Date Filed 1999</i>
	40	83	9:20 a.m. April 22	April 22
	463	84	9:28 a.m. April 22	April 22
	836	85	9:30 a.m. April 22	April 22
	1037	86	9:31 a.m. April 22	April 22

Sincerely,

MARY KIFFMEYER
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 23, 1999

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 426, memorializing the President and Congress to enact laws that will expedite the exchange of intermingled state and federal lands located within the exterior boundaries of the Superior National Forest to consolidate land ownership for the purpose of enabling each government to properly discharge its respective management duties.

H. F. No. 872, relating to contracts; regulating building and construction contracts; providing for the enforceability of certain agreements indemnifying against environmental liability.

H. F. No. 528, relating to transportation; requiring department of transportation specifications for underground storage tanks to include certain types of fiberglass and steel tanks.

H. F. No. 627, relating to Washington county; changing the length of the terms of housing and redevelopment authority commissioners.

H. F. No. 1968, relating to insurance; making changes in Medicare supplemental insurance required by federal law.

Sincerely,

JESSE VENTURA
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 23, 1999

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my responsibility to inform you that I have received and considered the final provisions of Chapter Number 112, H. F. No. 1, as it was presented to provide farm relief, and determined that it will be allowed to become law without signature.

H. F. No. 1, relating to agricultural relief; providing for a payment to farmers at risk based on the acreage of agricultural use land; providing for an agricultural property tax refund for certain livestock producers; appropriating money.

Sincerely,

JESSE VENTURA
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1999</i>	<i>Date Filed 1999</i>
	426	Resolution No. 3	11:53 a.m. April 23	April 23
	872	87	11:39 a.m. April 23	April 23
	528	88	11:41 a.m. April 23	April 23
	627	89	11:15 a.m. April 23	April 23
	1968	90	11:16 a.m. April 23	April 23

1920	91	11:38 a.m. April 23	April 23
1528	92	11:43 a.m. April 23	April 23
1324	93	11:46 a.m. April 23	April 23
673	94	11:17 a.m. April 23	April 23
1470	95	11:48 a.m. April 23	April 23
854	96	11:50 a.m. April 23	April 23
1**	112		April 23

Sincerely,

MARY KIFFMEYER
Secretary of State

[NOTE: ** H. F. No. 1 became law without the Governor's signature.]

REPORTS OF STANDING COMMITTEES

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1124, A bill for an act relating to public safety; requiring bleacher safety; providing penalties; amending Minnesota Statutes 1998, sections 16B.72; 16B.73; and 240A.09; proposing coding for new law in Minnesota Statutes, chapters 16B; and 325F.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1388, A bill for an act relating to appropriations; authorizing state bonds; appropriating money for design, architectural drawings, and construction of a World War II veterans memorial.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 1437, A bill for an act relating to natural resources; changing the repeal date of the Sustainable Forest Resources Act; amending Laws 1995, chapter 220, section 142.

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 89A.01, is amended by adding a subdivision to read:

Subd. 10a. [PEER REVIEW.] "Peer review" means a scientifically based review conducted by individuals with substantial knowledge and experience in the subject matter.

Sec. 2. Minnesota Statutes 1998, section 89A.02, is amended to read:

89A.02 [POLICY.]

It is the policy of the state to:

(1) pursue the sustainable management, use, and protection of the state's forest resources to achieve the state's economic, environmental, and social goals;

(2) encourage cooperation and collaboration between public and private sectors in the management of the state's forest resources;

(3) recognize and consider forest resource issues, concerns, and impacts at the site and landscape levels; and

(4) recognize the broad array of perspectives regarding the management, use, and protection of the state's forest resources, and establish processes and mechanisms that seek and incorporate these perspectives in the planning and management of the state's forest resources.

Nothing in this chapter abolishes, repeals, or negates any existing authorities, ~~policies, programs, or activities of the commissioner or other statutory authorities~~ related to managing and protecting the state's forest resources.

Sec. 3. Minnesota Statutes 1998, section 89A.03, is amended to read:

89A.03 [MINNESOTA FOREST RESOURCES COUNCIL.]

Subdivision 1. [MEMBERSHIP.] ~~The Minnesota forest resources council has 13 members appointed by the governor and one member appointed by the Indian affairs council. The governor must appoint a chair and 15 other members to the Minnesota forest resources council. The Indian affairs council shall appoint one additional member. When making appointments to the council, the governor must appoint knowledgeable individuals with an understanding of state forest resource issues who fairly reflect a balance of the various interests in the sustainable management, use, and protection of the state's forest resources in order to achieve the purpose and policies specified in subdivision 2 and section 89A.02.~~ The council membership appointed by the governor must include the following individuals:

(1) ~~a representative~~ two representatives from ~~an organization~~ organizations representing environmental interests within the state;

(2) a representative from an organization representing the interests of management of game species;

(3) a representative from a conservation organization;

(4) a representative from an association representing forest products industry within the state;

(5) a commercial logging contractor active in a forest product association;

(6) a representative from a statewide association representing the resort and tourism industry;

(7) a faculty or researcher of a Minnesota research or higher educational institution;

(8) an owner of nonindustrial, private forest land of 40 acres or more;

(9) an ~~agricultural woodlot~~ owner of nonindustrial, private forest land;

(10) a representative from the department;

- (11) a county land commissioner who is a member of the Minnesota association of county land commissioners;
- (12) a representative from the United States Forest Service unit with land management responsibility in Minnesota; ~~and~~
- (13) a representative from a labor organization with membership having an interest in forest resource issues;
- (14) an individual representing a secondary wood products manufacturing organization; and
- (15) a chair.

Subd. 2. [PURPOSE.] The council ~~shall~~ must develop recommendations to the governor and to federal, state, county, and local governments with respect to forest resource policies and practices that result in the sustainable management, use, and protection of the state's forest resources. The policies and practices must:

- (1) acknowledge the interactions of complex sustainable forest resources, multiple ownership patterns, and local to international economic forces;
- (2) give equal consideration to the long-term economic, ecological, and social needs and limits of the state's forest resources;
- (3) foster the productivity of the state's forests to provide a diversity of sustainable benefits at site-levels and landscape-levels;
- (4) enhance the ability of the state's forest resources to provide future benefits and services;
- (5) foster no net loss of forest land in Minnesota;
- (6) encourage appropriate mixes of forest cover types and age classes within landscapes to promote biological diversity and viable forest-dependent fish and wildlife habitats;
- (7) encourage collaboration and coordination with multiple constituencies in planning and managing the state's forest resources; and
- (8) address the environmental impacts and ~~their~~ implement mitigations as recommended in the generic environmental impact statement on timber harvesting.

Subd. 3. [COUNCIL MEETINGS.] ~~The council shall establish procedures for conducting its meetings in accordance with section 471.705 that include provisions for seeking and incorporating public input. At a minimum, meetings of the council and all of the committees, task forces, technical teams, regional committees, and other groups the council may establish must be conducted in accordance with section 471.705. Except where prohibited by law, the council must establish additional processes to broaden public involvement in all aspects of its deliberations.~~

Subd. 4. [COUNCIL OFFICERS AND STAFF.] ~~The council shall elect a chair from among its members. The council may shall~~ employ an executive director ~~and administrative assistant who has the authority to employ staff.~~ Technical expertise that will enable the council to carry out its functions must be provided to the council by those interests represented on the council.

Subd. 5. [MEMBERSHIP REGULATION.] Terms, compensation, nomination, appointment, and removal of council members are governed by section 15.059. Section 15.059, subdivision 5, does not govern the expiration date of the council.

Subd. 6. [REPORT.] By January 1, 1997, the council shall prepare a report to the governor and legislature on the status of the state's forest resources, and strategic directions to provide for their management, use, and protection. ~~Information generated by the reporting requirements in this chapter must be incorporated in the council's report. To the extent possible, the council's report must also identify the activities and accomplishments of various programs that directly affect the state's forest resources.~~ The council must report to the governor and to the legislative committees and divisions with jurisdiction over environment and natural resource policy and finance by February 1 of each year. The report must describe the progress and accomplishments made by the council during the preceding year.

Subd. 7. [REVIEW OF FOREST RESOURCES PLAN AND ASSESSMENT.] The council shall undertake a review of the forest resource management plan and forest assessment requirements contained in section 89.011, and report to the commissioner no later than July 1, 1996, on the appropriateness and effectiveness of these requirements, including recommendations for enhancing existing forest resource planning processes. ~~The council shall review draft statewide and district forest resource planning documents, and incorporate the findings, including any recommendation, of such reviews in its biennial report specified in subdivision 6.~~

Sec. 4. Minnesota Statutes 1998, section 89A.04, is amended to read:

89A.04 [PARTNERSHIP.]

It is the policy of the state to encourage forest landowners, forest managers, and loggers to establish a partnership in which the implementation of council recommendations can occur in a timely and coordinated manner across ownerships. The partnership shall serve as a forum for discussing operational implementation issues and problem solving related to forest resources management and planning concerns, and be responsive to the recommendations of the council. This partnership shall also actively foster collaboration and coordination among forest managers and landowners in addressing landscape-level operations and concerns. In fulfilling its responsibilities as identified in this chapter, ~~the council shall seek input from and consult with~~ the partnership may advise the council. Nothing in this section implies extra rights or influence for the partnership.

Sec. 5. Minnesota Statutes 1998, section 89A.05, is amended to read:

89A.05 [TIMBER HARVESTING AND FOREST MANAGEMENT GUIDELINES.]

Subdivision 1. [DEVELOPMENT.] The council shall coordinate the development of comprehensive timber harvesting and forest management guidelines. The guidelines must address the water, air, soil, biotic, recreational, and aesthetic resources found in forest ecosystems by focusing on those impacts commonly associated with applying site-level forestry practices. The guidelines must reflect a range of practical and sound practices based on the best available scientific information, and be integrated to minimize conflicting recommendations while being easy to understand and implement. ~~Best management practices previously developed for forest management must be incorporated into the guidelines.~~ By June 30, 2003, the council shall periodically review and, when if deemed necessary, update the guidelines. Changes to the guidelines must be peer reviewed prior to final adoption by the council. By December 1999, the council must undertake a peer review of the recommendations in the forest management guidelines adopted in December 1998 for protecting forest riparian areas and seasonal ponds.

Subd. 2. [ECONOMIC CONSIDERATIONS.] Before the implementation of timber harvesting and forest management guidelines, new site-level practices and landscape-level programs, the council shall analyze the costs and benefits of new site-level practices and landscape-level programs. When the analysis concludes that new landscape-level programs and site-level practices will result in adverse economic effects, including decreased timber supply and negative effects on tourism, opportunities to offset those effects must be explored. The council shall also:

(1) identify and quantify forest and timberland acreages that will no longer be available for harvest; and

(2) encourage public resource agencies to provide sustainable, predictable supplies of high-quality forest resource benefits, including timber supplies that are consistent with their multiple mandates and diverse management objectives. These benefits should be provided by public resource agencies in proportion to their forest land's capability to do so.

Subd. 2a. [REVIEW.] In reviewing the guidelines, the council must consider information from forest resources, practices, compliance, and effectiveness monitoring programs of the department. The council's recommendations relating to revisions to the forest management guidelines must be subject to peer reviewers appointed by the council. The council must consider recommendations of peer reviewers prior to final adoption of revisions to the guidelines.

Subd. 3. [APPLICATION.] The timber harvesting and forest management guidelines are voluntary. Prior to their actual use, the council ~~shall~~ must develop guideline implementation goals for each major forest land ownership category. If the information developed as a result of ~~the forest resources, practices, compliance, and effectiveness monitoring programs established in section 89A.07~~ conducted by the department or other information obtained by the council indicates the implementation goals for the guidelines are not being met and the council determines significant adverse impacts are occurring, the council shall recommend to the governor additional measures to address those impacts. The council ~~shall~~ must incorporate the recommendations as part of the council's biennial report required by section 89A.03, subdivision 6.

Subd. 4. [MONITORING RIPARIAN FORESTS.] The commissioner, with program advice from the council, must accelerate monitoring the extent and condition of riparian forests, the extent to which harvesting occurs within riparian management zones and seasonal ponds, and the use and effectiveness of timber harvesting and forest management guidelines applied in riparian management zones and seasonal ponds. This information shall, to the extent possible, be consistent with the monitoring programs identified in section 89A.07. Information gathered on riparian forests and timber harvesting in riparian management zones and seasonal ponds as specified in this subdivision shall be presented to the legislature by February 2001 and in subsequent reports required in section 89A.03, subdivision 6.

Sec. 6. Minnesota Statutes 1998, section 89A.06, is amended to read:

89A.06 [LANDSCAPE-LEVEL FOREST RESOURCE PLANNING AND COORDINATION.]

Subdivision 1. [FRAMEWORK.] The council ~~shall~~ must establish a framework that will enable long-range strategic planning and landscape coordination to occur, to the extent possible, across all forested regions of the state and across all ownerships. The framework must include:

(1) identification of the landscapes within which long-range strategic planning of forest resources can occur, provided that the landscapes must be delineated based on broadly defined ecological units and existing classification systems, yet recognize existing political and administrative boundaries and planning processes;

(2) a statement of principles and goals for landscape-based forest resource planning; and

(3) identification of a general process by which landscape-based forest resource planning ~~can occur~~ occurs, provided that the process must give considerable latitude to design planning processes that fit the unique needs and resources of each landscape; reflect a balanced consideration of the economic, social, and environmental conditions and needs of each landscape; and interface and establish formats that are compatible with other landscape-based forest resource plans.

Subd. 2. [REGIONAL FOREST RESOURCE COMMITTEES.] To foster landscape-based forest resource planning, the council ~~shall~~ must establish regional forest resource committees. ~~The~~ Each regional ~~committees~~ committee must:

(1) include representative interests in a particular region that are committed to and involved in landscape planning and coordination activities;

(2) serve as a forum for landowners, managers, and representative interests to discuss landscape forest resource issues;

(3) identify and implement an open and public process whereby landscape-based strategic planning of forest resources can occur;

(4) integrate its report with existing public and private landscape planning efforts in the region;

(5) facilitate landscape coordination between existing regional landscape planning efforts of land managers, both public and private;

(6) identify and facilitate opportunities for public participation in existing landscape planning efforts in this region;

(7) identify sustainable forest resource goals for the landscape and strategies to achieve those goals; and

~~(5)~~ (8) provide a regional perspective to the council with respect to council activities.

Subd. 2a. [REGIONAL FOREST COMMITTEE REPORTING.] The council must report annually on the activities and progress made by the regional forest committees established under subdivision 2, including the following:

(1) by December 1, 1999, the regional committee for the council's northeast landscape must complete the identification of draft desired future outcomes, key issues, and strategies for the landscape;

(2) by July 1, 2000, the council must complete assessments for the council's north central and southeast landscape regions;

(3) by July 1, 2001, the regional committees for the north central and southeast landscapes must complete draft desired future outcomes, key issues, and strategies for their respective landscapes; and

(4) the council must establish timelines for additional regional landscape committees and activities as staffing and funding allow.

~~Subd. 3. [REGIONAL COMMITTEE OFFICERS AND STAFF.] Each regional committee shall elect a chair from among its members. The council chair may appoint a chair from the regional committee participants. The council shall ensure must include in its budget request sufficient resources for each regional committees have sufficient staff resources committee to carry out their its mission as defined in this section.~~

Subd. 4. [REPORT.] Each regional committee ~~shall~~ must report to the council its work activities and accomplishments.

Sec. 7. Minnesota Statutes 1998, section 89A.07, subdivision 3, is amended to read:

Subd. 3. [EFFECTIVENESS MONITORING.] The commissioner, in cooperation with other research and land management organizations, shall evaluate the effectiveness of practices to mitigate impacts of timber harvesting and forest management activities on the state's forest resources. The council shall provide oversight and program direction for the development and implementation of this monitoring program. The commissioner shall report to the council on the effectiveness of these practices.

Sec. 8. Minnesota Statutes 1998, section 89A.07, subdivision 5, is amended to read:

Subd. 5. [CITIZEN CONCERNS.] The council shall facilitate the establishment of a process to accept comments from the public on negligent timber harvesting or forest management practices. ~~Comments must also be directed to the organization administering the certification program.~~

Sec. 9. Minnesota Statutes 1998, section 89A.10, is amended to read:

89A.10 [CONTINUING EDUCATION; CERTIFICATION.]

It is the policy of the state to encourage timber harvesters and forest resource professionals to establish ~~voluntary certification and~~ continuing education programs within their respective professions that promote sustainable forest management. The council shall, where appropriate, facilitate the development of these programs.

Sec. 10. Laws 1995, chapter 220, section 142, as amended by Laws 1995, chapter 263, section 12, and Laws 1996, chapter 351, section 1, is amended to read:

Sec. 142. [EFFECTIVE DATES.]

Sections 2, 5, 7, 20, 42, 44 to 49, 56, 57, 101, 102, 117, and 141, paragraph (d), are effective the day following final enactment.

Sections 114, 115, 118, and 121 are effective January 1, 1996.

Sections 120, subdivisions 2, 3, 4, and 5, and 141, paragraph (c), are effective July 1, 1996.

Section 141, paragraph (b), is effective June 30, ~~1999~~ 2001.

Sec. 11. [EFFECTIVE DATE.]

Section 10 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to natural resources; modifying the Sustainable Forest Resources Act; changing the repeal date of the Sustainable Forest Resources Act; amending Minnesota Statutes 1998, sections 89A.01, by adding a subdivision; 89A.02; 89A.03; 89A.04; 89A.05; 89A.06; 89A.07, subdivisions 3 and 5; and 89A.10; Laws 1995, chapter 220, section 142, as amended."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2229, A bill for an act relating to marriage; providing for a reduced marriage license fee for couples who obtain premarital education; increasing the filing fee in marriage dissolution proceedings; amending Minnesota Statutes 1998, sections 357.021, subdivision 2; and 517.08, subdivisions 1b and 1c.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. R. No. 6, A resolution honoring the Veterans of Foreign Wars on the occasion of its Centennial celebration.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 1124 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Otremba introduced:

H. F. No. 2418, A bill for an act relating to appropriations; appropriating wastewater funding for the city of Eagle Bend; authorizing the sale of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Anderson, I.; Finseth; Tunheim; Fuller and Skoe introduced:

H. F. No. 2419, A bill for an act relating to natural resources; conveying title to consolidated conservation lands to the counties in which the lands are located; repealing Minnesota Statutes 1998, sections 84A.01; 84A.02; 84A.03; 84A.04; 84A.07; 84A.08; 84A.09; 84A.10; 84A.101; 84A.11; 84A.20; 84A.21; 84A.22; 84A.23; 84A.26; 84A.27; 84A.28; 84A.29; 84A.30; 84A.31; 84A.32; 84A.33; 84A.36; 84A.37; 84A.38; 84A.39; 84A.40; 84A.41; 84A.42; 84A.50; 84A.51; 84A.52; 84A.53; 84A.54; 84A.55; 84A.56; and 84A.57.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Abrams, for the Committee on Taxes, introduced:

H. F. No. 2420, A bill for an act relating to financing state and local government; providing a sales tax rebate; reducing individual income tax rates; making changes to income, sales and use, property, excise, mortgage registry and deed, health care provider, motor fuels, cigarette and tobacco, liquor, insurance premiums, aircraft registration, lawful gambling, taconite production, solid waste, and special taxes; establishing an agricultural homestead credit; changing and allowing tax credits, subtractions, and exemptions; changing property tax valuation, assessment, levy, classification, homestead, credit, aid, exemption, review, appeal, abatement, and distribution provisions; extending levy limits and changing levy authority; providing for reverse referenda on certain levy increases; phasing out health care provider taxes; extending the suspension of the tax on certain insurance premiums; reducing tax rates on lawful gambling; changing tax increment financing law and providing special authority for certain cities; authorizing water and sanitary sewer districts; providing for the funding of courts in certain judicial districts; changing tax forfeiture and delinquency provisions; changing and clarifying tax administration, collection, enforcement, and penalty provisions; freezing the taconite production tax and providing for its distribution; providing for funding for border cities; changing fiscal note requirements; providing for deposit of tobacco settlement funds; providing for allocation of certain budget surpluses; requiring studies; establishing a task force; and providing for appointments; transferring

funds; appropriating money; amending Minnesota Statutes 1998, sections 3.986, subdivision 2; 3.987, subdivision 1; 16A.152, subdivision 2, and by adding a subdivision; 16A.1521; 60A.15, subdivision 1; 62J.041, subdivision 1; 62Q.095, subdivision 6; 92.51; 97A.065, subdivision 2; 214.16, subdivisions 2 and 3; 270.07, subdivision 1; 270.65; 270.67, by adding a subdivision; 270B.01, subdivision 8; 270B.14, subdivision 1, and by adding a subdivision; 271.01, subdivision 5; 271.21, subdivision 2; 272.02, subdivision 1; 272.027; 272.03, subdivision 6; 273.11, subdivisions 1a and 16; 273.111, by adding a subdivision; 273.124, subdivisions 1, 7, 8, 13, 14, and by adding a subdivision; 273.13, subdivisions 22, 23, 24, 25, 31, and by adding a subdivision; 273.1382; 273.1398, subdivisions 2, 8, and by adding a subdivision; 273.1399, subdivision 6; 273.20; 274.01, subdivision 1; 275.065, subdivisions 3, 5a, 6, 8, and by adding a subdivision; 275.07, subdivision 1; 275.71, subdivisions 2, 3, and 4; 276.131; 279.37, subdivisions 1, 1a, and 2; 281.23, subdivisions 2, 4, and 6; 282.01, subdivisions 1, 4, and 7; 282.04, subdivision 2; 282.05; 282.08; 282.09; 282.241; 282.261, subdivision 4, and by adding a subdivision; 283.10; 287.01, subdivision 3, as amended; 287.05, subdivisions 1, as amended, and 1a, as amended; 289A.02, subdivision 7; 289A.18, subdivision 4; 289A.20, subdivision 4; 289A.31, subdivision 2; 289A.40, subdivisions 1 and 1a; 289A.50, subdivision 7, and by adding a subdivision; 289A.56, subdivision 4; 289A.60, subdivisions 3 and 21; 290.01, subdivisions 7, 19, 19a, 19b, 19f, 31, and by adding a subdivision; 290.06, subdivisions 2c, 2d, and by adding subdivisions; 290.0671, subdivision 1; 290.0672, subdivision 1; 290.0674, subdivisions 1 and 2; 290.091, subdivisions 1, 2, and 6; 290.0921, subdivision 5; 290.095, subdivision 3; 290.17, subdivisions 3, 4, and 6; 290.191, subdivisions 2 and 3; 290.9725; 290.9726, by adding a subdivision; 290A.03, subdivisions 3 and 15; 290B.03, subdivision 1; 290B.04, subdivisions 3 and 4; 290B.05, subdivision 1; 291.005, subdivision 1; 295.50, subdivision 4; 295.52, subdivision 7; 295.53, subdivision 1; 295.55, subdivisions 2 and 3; 296A.16, by adding subdivisions; 297A.01, subdivision 15; 297A.15, subdivision 5; 297A.25, subdivisions 9, 11, 63, 73, and by adding subdivisions; 297A.48, by adding a subdivision; 297B.01, subdivision 7; 297B.03; 297E.01, by adding a subdivision; 297E.02, subdivisions 1, 3, 4, and 6; 297F.01, subdivision 23; 297F.17, subdivision 6; 297H.05; 297H.06, subdivision 2; 298.24, subdivision 1; 298.28, subdivision 9a; 299D.03, subdivision 5; 357.021, subdivision 1a; 360.55, by adding a subdivision; 375.192, subdivision 2; 383C.482, subdivision 1; 465.82, by adding a subdivision; 469.169, subdivision 12, and by adding a subdivision; 469.1735, by adding a subdivision; 469.176, subdivision 4g; 469.1763, by adding a subdivision; 469.1771, subdivision 1, and by adding a subdivision; 469.1791, subdivision 3; 469.1813, subdivisions 1, 2, 3, 6, and by adding a subdivision; 469.1815, subdivision 2; 473.249, subdivision 1; 473.252, subdivision 2; 473.253, subdivision 1; 477A.03, subdivision 2; 485.018, subdivision 5; 487.02, subdivision 2; 487.32, subdivision 3; 487.33, subdivision 5; and 574.34, subdivision 1; Laws 1988, chapter 645, section 3; Laws 1997, chapter 231, article 1, section 19, subdivisions 1 and 3; Laws 1997, chapter 231, article 3, section 9; Laws 1997, First Special Session chapter 3, section 27; Laws 1997, Second Special Session chapter 2, section 6; Laws 1998, chapter 389, article 1, section 1; and Laws 1998, chapter 389, article 8, section 44, subdivisions 5, 6, and 7, as amended; proposing coding for new law in Minnesota Statutes, chapters 16A; 62Q; 256L; 275; 297A; 469; and 473; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 16A.724; 16A.76; 92.22; 144.1484, subdivision 2; 256L.02, subdivision 3; 273.11, subdivision 10; 280.27; 281.13; 281.38; 284.01; 284.02; 284.03; 284.04; 284.05; 284.06; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; 295.59; 297E.12, subdivision 3; 297F.19, subdivision 4; 297G.18, subdivision 4; and 473.252, subdivisions 4 and 5; Laws 1997, chapter 231, article 1, section 19, subdivision 2; and Laws 1998, chapter 389, article 3, section 45.

The bill was read for the first time and referred to the Committee on Ways and Means.

Jennings, Rhodes, Rostberg, Mares and Greiling introduced:

H. F. No. 2421, A bill for an act relating to cemeteries; clarifying and reorganizing the law on cemeteries; amending Minnesota Statutes 1998, sections 149A.96, subdivision 2; 307.11; 315.16, subdivision 4; 315.31; and 525.14; proposing coding for new law as Minnesota Statutes, chapter 306A; repealing Minnesota Statutes 1998, sections 306.01; 306.02; 306.023; 306.025; 306.027; 306.03; 306.04; 306.05; 306.06; 306.07; 306.08; 306.09; 306.10; 306.11; 306.111; 306.12; 306.13; 306.14; 306.141; 306.15; 306.16; 306.17; 306.18; 306.19; 306.20; 306.21; 306.22; 306.23; 306.24; 306.241; 306.242; 306.243; 306.245; 306.246; 306.25; 306.26; 306.27; 306.28; 306.29; 306.31; 306.32; 306.33; 306.34; 306.35; 306.36; 306.37; 306.38; 306.39; 306.40; 306.41; 306.42; 306.43; 306.44;

306.45; 306.46; 306.47; 306.48; 306.49; 306.50; 306.51; 306.52; 306.53; 306.54; 306.55; 306.56; 306.57; 306.58; 306.59; 306.60; 306.61; 306.62; 306.63; 306.64; 306.65; 306.66; 306.67; 306.68; 306.69; 306.70; 306.71; 306.72; 306.73; 306.74; 306.75; 306.76; 306.761; 306.762; 306.77; 306.773; 306.78; 306.79; 306.80; 306.81; 306.82; 306.83; 306.84; 306.85; 306.851; 306.86; 306.87; 306.88; 306.90; 306.93; 306.95; 306.97; and 306.99.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Seifert, M.; Storm; Ness and Fuller introduced:

H. F. No. 2422, A bill for an act relating to education; changing state grant awards; amending Minnesota Statutes 1998, section 136A.121, subdivision 5.

The bill was read for the first time and referred to the Committee on Education Policy.

Tunheim; Smith; Anderson, I.; Entenza and Gunther introduced:

H. F. No. 2423, A bill for an act relating to motor vehicle forfeitures; creating a task force to study the impacts of motor vehicle forfeiture laws on vehicle owners and their families.

The bill was read for the first time and referred to the Committee on Civil Law.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 132, A bill for an act relating to lawful gambling; exempting certain bingo games from regulation; amending Minnesota Statutes 1998, section 349.166, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1707, A bill for an act relating to public safety; prohibiting courts from modifying statutory sex offender registration requirements in criminal sentences and juvenile disposition orders; amending Minnesota Statutes 1998, section 243.166, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 70, A bill for an act relating to public safety; authorizing law enforcement agencies to sell forfeited firearms, ammunition, and firearm accessories to firearms dealers; allowing certain agencies to retain forfeited money for crime prevention use; amending Minnesota Statutes 1998, section 609.5315, subdivisions 1 and 2.

The Senate has appointed as such committee:

Senators Pariseau, Hottinger and Spear.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 621, A bill for an act relating to public safety; adding various arson definitions relating to flammability; imposing penalties on students who use ignition devices inside educational buildings; amending Minnesota Statutes 1998, sections 609.561, subdivision 3; and 609.5631, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

The Senate has appointed as such committee:

Senators Novak; Johnson, D. H., and Fischbach.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1467, A bill for an act relating to education; family and early childhood education; providing for children and family support programs, community and systems change, prevention and intervention, and self-sufficiency and lifelong learning; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 16B.405, subdivision 2; 119A.31, subdivision 1, and by adding a subdivision; 119B.01, subdivisions 1, 2, 10, 12, 12a, 13, 16, 17, and by adding subdivisions; 119B.02, subdivision 1, and by adding subdivisions; 119B.03, subdivisions 1, 2, 3, 4, 6, and 9; 119B.04, subdivision 1; 119B.05, subdivision 1; 119B.06, subdivision 1; 119B.061; 119B.07; 119B.08, subdivision 3; 119B.09, subdivisions 1, 3, and 7; 119B.10, subdivision 1; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.13; 119B.14; 119B.15; 119B.18, subdivision 3; 119B.19,

subdivision 1, and by adding subdivisions; 119B.20, subdivisions 7, 8, 12, and by adding a subdivision; 119B.21, subdivisions 1, 2, 3, 5, 8, 9, 10, and 11; 119B.23, subdivision 1; 119B.24; 119B.25, subdivision 3; 121A.19; 122A.26, by adding a subdivision; 124D.13, subdivision 2; 124D.135, subdivisions 1 and 3; 124D.19, subdivision 11; 124D.20, subdivision 5; 124D.22; 124D.23, by adding a subdivision; 124D.33, subdivision 3; 124D.52, subdivision 2, and by adding subdivisions; 124D.53, subdivision 3, and by adding a subdivision; 124D.54, subdivision 1; 125A.35, subdivision 5; 171.29, subdivision 2; 256.01, subdivision 4; 256.045, subdivisions 6, 7, and by adding a subdivision; 256.046, subdivision 1; 256.98, subdivisions 1, 7, and 8; 256.983, subdivisions 3 and 4; and 466.01, subdivision 1; Laws 1997, First Special Session chapter 4, article 1, section 61, subdivisions 2 and 3, as amended; Laws 1998, First Special Session chapter 1, article 1, sections 10 and 11; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 1998, sections 119B.01, subdivision 15; 119B.03, subdivision 7; 119B.05, subdivisions 6 and 7; 119B.075; 119B.17; 119B.18, subdivisions 1 and 2; 119B.19, subdivisions 3, 4, and 5; 119B.20, subdivisions 1, 2, 3, 4, 5, 6, 9, 10, and 11; 119B.21, subdivisions 4, 6, and 12; 119B.22; 124D.14; and 124D.53, subdivision 6.

The Senate has appointed as such committee:

Senators Piper, Lourey, Higgins, Robling and Lesewski.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2387, A bill for an act relating to transportation; appropriating money for the department of transportation and other agencies; providing for a maximum percentage of the motorcycle safety fund that may be spent for certain activities; authorizing suspension of a vehicle's registration in certain circumstances; requiring a detachable postcard to be provided in a vehicle's certificate of title and completed on transfer of the vehicle; modifying provisions relating to disability parking privileges; abolishing certain credit for vehicle registration fee; specifically authorizing cities to enact ordinances regulating long-term parking; requiring the department of public safety to provide photo identification equipment to certain driver's license agents; reducing cost of Minnesota identification card for persons with serious and persistent mental illness; authorizing siting of public safety radio communications towers; directing commissioner of transportation to establish a southern railway corridor improvement plan; clarifying snowmobile gas tax provision; regulating advertising in department of public safety publications; modifying provisions relating to special number plates for collector aircraft; amending Minnesota Statutes 1998, sections 121A.36, subdivision 3; 168.021, subdivision 2; 168.17; 168.301, subdivisions 3 and 4; 168A.05, subdivision 5; 168A.10, subdivisions 1, 2, and 5; 168A.30, subdivision 2; 169.345, subdivisions 1, 2, 3, and 4; 169.346, subdivision 3, and by adding a subdivision; 171.061, subdivision 4; 171.07, subdivision 3; 174.70; 296A.18, subdivision 3; 299A.01, by adding a subdivision; and 360.55, subdivision 4; Laws 1997, chapter 159, article 1, sections 2, subdivision 7; and 4, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 174; and 219.

The Senate has appointed as such committee:

Senators Johnson, J. B.; Langseth; Ourada; Flynn and Johnson, D. E.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2390, A bill for an act relating to state government; appropriating money for economic development and certain agencies of state government; establishing and modifying programs; regulating activities and practices; modifying fees; eliminating certain boards; transferring regulatory authority over health maintenance organizations and similar entities to the commissioner of commerce; making conforming changes; requiring reports; amending Minnesota Statutes 1998, sections 45.0295; 53A.03; 53A.05, subdivision 1; 60A.14, subdivision 1; 60A.23, subdivision 8; 60A.71, subdivision 7; 60B.02; 60B.03, subdivisions 2 and 4; 60B.15; 60B.20; 60G.01, subdivisions 2 and 4; 60K.06, subdivision 2; 62A.61; 62D.01, subdivision 2; 62D.02, subdivision 3, and by adding a subdivision; 62D.03, subdivisions 1, 3, and 4; 62D.04, subdivisions 1, 2, 4, and by adding a subdivision; 62D.05, subdivision 6; 62D.06, subdivision 2; 62D.07, subdivisions 2, 3, and 10; 62D.08, subdivisions 1, 2, 3, 4, and 5; 62D.09, subdivisions 1 and 8; 62D.10, subdivision 4; 62D.11, subdivisions 1b, 2, 3, and by adding a subdivision; 62D.12, subdivisions 1, 2, and 9; 62D.121, subdivisions 3a and 7; 62D.14, subdivisions 1, 3, 4, 5, and 6; 62D.15, subdivisions 1 and 4; 62D.16, subdivisions 1 and 2; 62D.17, subdivisions 1, 3, 4, and 5; 62D.18, subdivisions 1 and 7; 62D.19; 62D.20, subdivision 1; 62D.21; 62D.211; 62D.22, subdivisions 4 and 10; 62D.24; 62D.30, subdivisions 1 and 3; 62L.02, subdivision 8; 62L.05, subdivision 12; 62L.08, subdivisions 10 and 11; 62M.11; 62M.16; 62N.02, subdivision 4; 62N.26; 62N.31, subdivision 1; 62Q.01, subdivision 2; 62Q.07; 62Q.075, subdivision 4; 62Q.105, subdivisions 6 and 7; 62Q.11; 62Q.22, subdivisions 2, 6, and 7; 62Q.32; 62Q.51, subdivision 3; 62Q.525, subdivision 3; 62R.04, subdivision 5; 62R.25; 62T.01, subdivision 4; 65B.48, subdivision 3; 70A.14, subdivision 4; 72A.139, subdivision 2; 72B.04, subdivision 10; 79.255, subdivision 10; 80A.28, subdivision 1; 82A.08, subdivision 2; 82A.16, subdivisions 2 and 6; 116J.415, subdivision 5; 116J.421, subdivision 3, and by adding subdivisions; 116J.63, subdivision 4; 116J.8745, subdivisions 1 and 2; 116L.03, subdivision 5; 116L.04, subdivision 1a; 116L.06, subdivision 4; 175.17; 176.181, subdivision 2a; 237.295, subdivision 1; 268.022, subdivision 1; 268.98, subdivision 3; 298.22, subdivision 2; 326.244, subdivision 2, and by adding a subdivision; 326.86, subdivision 1; 446A.072, subdivision 4; 462A.20, subdivision 2, and by adding a subdivision; 462A.204, by adding a subdivision; 462A.209; and 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 116J; and 178; repealing Minnesota Statutes 1998, sections 44A.001; 44A.01; 44A.02; 44A.023; 44A.025; 44A.031; 44A.0311; 44A.06; 44A.08; 44A.11; 62D.18; 62L.11, subdivision 2; 62Q.45, subdivision 1; 138A.01; 138A.02; 138A.03; 138A.04; 138A.05; 138A.06; 341.01; 341.02; 341.04; 341.045; 341.05; 341.06; 341.07; 341.08; 341.09; 341.10; 341.11; 341.115; 341.12; 341.13; 341.15; 462A.28; 469.305; 469.306; 469.307; 469.308; and 469.31; Laws 1998, chapter 404, section 13, subdivision 5.

The Senate has appointed as such committee:

Senators Janezich; Novak; Johnson, D. H.; Runbeck and Pariseau.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1905, A bill for an act relating to state government; rulemaking; authorizing the governor to veto certain rules; amending Minnesota Statutes 1998, sections 14.05, by adding a subdivision; 14.16, subdivision 3; 14.26, subdivision 3; 14.386; and 14.389, subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Seifert, M., moved that the House concur in the Senate amendments to H. F. No. 1905 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1905, A bill for an act relating to state government; rulemaking; authorizing the governor to veto certain rules; amending Minnesota Statutes 1998, sections 14.05, by adding a subdivision; 14.16, subdivision 3; 14.26, subdivision 3; 14.386; and 14.389, subdivision 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hilty	Leighton	Osthoff	Stanek
Abrams	Dorman	Holberg	Lenczewski	Otremba	Stang
Anderson, B.	Dorn	Holsten	Leppik	Ozment	Storm
Anderson, I.	Entenza	Howes	Lieder	Paulsen	Swenson
Bakk	Erhardt	Huntley	Lindner	Pawlenty	Sykora
Bishop	Erickson	Jaros	Luther	Pelowski	Tingelstad
Boudreau	Finseth	Jennings	Mahoney	Peterson	Tomassoni
Bradley	Folliard	Johnson	Mares	Pugh	Tuma
Broecker	Fuller	Juhnke	Marko	Rest	Tunheim
Buesgens	Gerlach	Kahn	McElroy	Reuter	Van Dellen
Carlson	Gleason	Kalis	Milbert	Rhodes	Vandever
Carruthers	Goodno	Kelliher	Molnau	Rifenberg	Wejcman
Cassell	Gray	Kielkucki	Mulder	Rostberg	Wenzel
Chaudhary	Greiling	Knoblach	Mullery	Rukavina	Westerberg
Clark, J.	Gunther	Koskinen	Murphy	Schumacher	Westfall
Clark, K.	Haake	Krinkie	Ness	Seagren	Westrom
Daggett	Haas	Kubly	Nornes	Seifert, J.	Wilkin
Davids	Hackbarth	Kuisle	Olson	Seifert, M.	Winter
Dawkins	Harder	Larsen, P.	Opatz	Skoe	Wolf
Dehler	Hasskamp	Larson, D.	Osskopp	Solberg	Spk. Sviggum

Those who voted in the negative were:

Biernat	Hausman	Paymar	Smith	Wagenius
Greenfield	Orfield	Skoglund	Trimble	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2380, A bill for an act relating to education; appropriating money for education and related purposes to the higher education services office, board of trustees of the Minnesota state colleges and universities, board of regents of the University of Minnesota, and the Mayo medical foundation, with certain conditions; modifying certain

conditions for the Minnesota state colleges and universities; clarifying requirements for student conduct policy; modifying programs that promote college affordability; modifying provisions relating to regent selection and recruitment; authorizing board of regents to establish a branch campus in Rochester; clarifying and changing requirements for private career schools; providing for rulemaking; amending Minnesota Statutes 1998, sections 16B.465, subdivision 4; 135A.155; 136A.031, subdivision 3; 136A.121, subdivisions 5 and 6; 136A.125, subdivision 4; 136F.02, subdivision 2; 136F.04, subdivision 1; 136F.22, subdivision 1; 136F.32, subdivision 2, and by adding a subdivision; 137.0245, subdivision 4; 141.21, subdivisions 3, 5, 6, and by adding subdivisions; 141.22; 141.25, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, and 12; 141.26, subdivision 2; 141.271, subdivisions 1, 2, 3, 4, 5, 6, and 12; 141.28, subdivisions 3 and 5; 141.29, subdivision 1; 141.31; 141.32; 141.35; and 471.59, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 137; and 141; repealing Minnesota Statutes 1998, sections 136A.1359; 136A.136; 141.25, subdivisions 9a, 9b, and 11; and 141.36.

PATRICK E. FLAHAVEN, Secretary of the Senate

Leppik moved that the House refuse to concur in the Senate amendments to H. F. No. 2380, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 15, A bill for an act relating to education; amending the state graduation standards; providing for districts to adopt rigorous academic standards; providing for statewide accountability; amending Minnesota Statutes 1998, sections 120B.02; 120B.30, subdivision 1; 120B.31, subdivisions 1, 3, and 4; and 136A.233, subdivision 4; repealing Minnesota Statutes 1998, sections 120B.03; and 120B.04; Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320; 3501.0330; 3501.0340; 3501.0350; 3501.0360; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0430; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; and 3501.0469.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kielkucki moved that the House refuse to concur in the Senate amendments to H. F. No. 15, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses.

A roll call was requested and properly seconded.

The question was taken on the Kielkucki motion and the roll was called. There were 117 yeas and 13 nays as follows:

Those who voted in the affirmative were:

Abeler	Bakk	Bradley	Cassell	Daggett	Dempsey
Abrams	Biernat	Broecker	Chaudhary	Davids	Dorman
Anderson, B.	Bishop	Buesgens	Clark, J.	Dawkins	Dorn
Anderson, I.	Boudreau	Carlson	Clark, K.	Dehler	Erhardt

Erickson	Jaros	Lindner	Osskopp	Seagren	Tunheim
Finseth	Jennings	Luther	Osthoff	Seifert, J.	Van Dellen
Fuller	Johnson	Mahoney	Otremba	Seifert, M.	Vandever
Gerlach	Juhnke	Mares	Ozment	Skoe	Wejcman
Goodno	Kalis	Marko	Paulsen	Skoglund	Wenzel
Greenfield	Kelliher	McCollum	Pawlenty	Smith	Westerberg
Gunther	Kielkucki	McElroy	Pelowski	Solberg	Westfall
Haake	Knoblach	Milbert	Peterson	Stanek	Westrom
Haas	Koskinen	Molnau	Pugh	Stang	Wilkin
Hackbarth	Krinkie	Mulder	Rest	Storm	Winter
Harder	Kuisle	Mullery	Reuter	Swenson	Wolf
Hasskamp	Larsen, P.	Murphy	Rhodes	Sykora	Workman
Hilty	Larson, D.	Ness	Rifenberg	Tingelstad	Spk. Sviggum
Holberg	Leighton	Nornes	Rostberg	Tomassoni	
Holsten	Leppik	Olson	Rukavina	Trimble	
Howes	Lieder	Orfield	Schumacher	Tuma	

Those who voted in the negative were:

Carruthers	Gleason	Hausman	Lenczewski	Wagenius
Entenza	Gray	Huntley	Opatz	
Folliard	Greiling	Kahn	Paymar	

The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1202, A bill for an act relating to health; establishing protocol for occupational exposure to bloodborne pathogens in certain settings; providing criminal penalties; amending Minnesota Statutes 1998, sections 13.99, subdivision 38, and by adding a subdivision; 72A.20, subdivision 29; 144.4804, by adding a subdivision; 214.18, subdivision 5, and by adding a subdivision; 214.19; 214.20; 214.22; 214.23, subdivisions 1 and 2; 214.25, subdivision 2; and 611A.19, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 144; and 241; repealing Minnesota Statutes 1998, sections 144.761; 144.762; 144.763; 144.764; 144.765; 144.766; 144.767; 144.768; 144.769; and 144.7691.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Spear, Hottinger and Kiscaden.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Goodno moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1202. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 383, A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 147D; repealing Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32; Minnesota Rules, parts 5600.2000; and 5600.2100.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Pappas, Foley and Fischbach.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Abeler moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 383. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 2221, A bill for an act relating to crime prevention and judiciary finance; appropriating money for the judicial branch, public safety, corrections, public defense, human rights, crime victims, and related purposes; establishing grant programs, task forces, and pilot projects; requiring reports and studies; increasing the number of judges; transferring responsibility for the office of drug policy and violence prevention, the Asian-Pacific juvenile crime intervention and prevention grant program, the juvenile weekend program at Camp Ripley, and the operation and maintenance of the state land and buildings that compose MCF-Sauk Centre; increasing the membership and expanding the duties of the criminal and juvenile justice policy group; authorizing a lease-purchase agreement for a northern satellite laboratory facility and additional work related to a new facility in St. Paul for the bureau of criminal apprehension; clarifying and expanding certain criminal and civil penalties; establishing a work program for certain repeat DWI offenders and repealing the existing work program for nonviolent offenders; requiring counties to pay the costs of placing juvenile females at Minnesota correctional facility-Sauk Centre; requiring the department of corrections to submit an annual performance report; imposing criminal penalties for persons taking responsibility for criminal acts; providing for sanction conference procedures to dispose of technical violations of probation; providing a posttraumatic stress syndrome benefit; providing for recovery of damages when there is an unauthorized release of animals; privatizing the educational program at Minnesota correctional facility-Red Wing; making certain changes related to part-time peace officers; requiring policies and training and making certain other changes related to police pursuits; increasing the state's fiscal responsibility for certain persons prior to civil commitment; establishing requirements relating to out-of-home placements of juveniles; providing for state funding of certain programs and personnel; providing for state funding of court administration costs in specified judicial districts; establishing collective bargaining provisions for court employees; extending the sunset date for a juvenile records provision; requiring that the continued operation of the new Rush City prison beyond July 1, 2001, be specifically authorized by law; amending Minnesota Statutes 1998, sections 2.722, subdivision 1; 3.739, subdivision 1; 43A.02, subdivision 25; 43A.24, subdivision 2; 119A.26; 119A.28, subdivisions 2 and 3; 119A.29, subdivision 1; 119A.31, subdivision 3; 119A.32; 119A.33; 119A.34, subdivisions 3 and 4; 169.121, subdivisions 3,

3e, and by adding subdivisions; 169.129, subdivision 2; 179A.03, subdivisions 7, 14, 15, and by adding a subdivision; 179A.06, subdivision 2; 179A.10, subdivision 4; 179A.12, subdivision 4; 179A.22, subdivisions 2 and 3; 241.016; 242.192; 243.05, subdivision 1; 243.50; 244.052, subdivision 1, and by adding a subdivision; 244.19, subdivision 3a; 253B.185, by adding a subdivision; 253B.23, subdivisions 1 and 8; 256.01, subdivision 2; 256.486, subdivisions 1 and 2; 257.69, subdivision 2; 260.151, subdivision 3; 260.161, subdivision 1; 260.181, by adding a subdivision; 260.185, by adding a subdivision; 260.251, subdivisions 2 and 5; 260.56; 299C.65, subdivisions 2, 5, and by adding subdivisions; 340A.415; 340A.703; 346.56; 346.56; 466.01, subdivision 6; 480.181, subdivision 1; 484.64, subdivision 3; 484.65, subdivision 3; 485.018, subdivisions 2 and 6; 485.03; 485.27; 487.02, subdivision 2; 487.10, subdivision 4; 518.165, subdivision 3; 546.13; 546.44, subdivision 3; 563.01, subdivisions 2, 9, and 10; 609.035, subdivisions 1, 2, and by adding a subdivision; 609.135, subdivisions 1 and 2; 609.495, by adding a subdivision; 609.531, subdivision 1; 609.5315, by adding a subdivision; 611.33, subdivision 3; 626.5532, subdivision 1; 626.845, subdivision 1; 626.8462; 626.8463, subdivision 1; and 626.8465, subdivision 2; Laws 1997, chapter 85, article 3, section 53; proposing coding for new law in Minnesota Statutes, chapters 179A; 241; 243; 244; 260; 299A; 299L; 401; 480; and 626; repealing Minnesota Statutes 1998, sections 119A.04, subdivision 5; 241.277; 256D.05, subdivisions 3 and 3a; 357.021, subdivision 2a; 401.02, subdivision 5; 563.01, subdivision 1; 609.113; 626.5532, subdivision 2; and 626.8463, subdivision 2; Laws 1997, chapter 238, section 4.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Kelly, R. C.; Spear; Neuville; Knutson and Ranum.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Broecker moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2221. The motion prevailed.

FISCAL CALENDAR

Pursuant to rule 1.22, Bishop requested immediate consideration of H. F. No. 2333.

H. F. No. 2333 was reported to the House.

The Speaker called Boudreau to the Chair.

EXCUSED FROM VOTING PURSUANT TO RULE 2.05

Pursuant to rule 2.05, Speaker pro tempore Boudreau excused Pawlenty from voting on final passage of H. F. No. 2333 and any amendments offered to H. F. No. 2333.

Seagren moved to amend H. F. No. 2333, the third engrossment, as follows:

Page 62, line 30, delete "sections" and insert "section" and delete "; and"

Page 62, line 31, delete "136A.233, are" and insert "is"

Page 96, line 23, delete "\$1,200" and insert "\$1,500"

Page 139, line 36, delete "Minnesota Statutes, section"

Page 140, line 1, delete "128C.01, subdivision 4" and insert "section 4"

Page 140, line 2, after "the" insert "year following the"

The motion prevailed and the amendment was adopted.

McElroy moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 33, after line 4, insert:

"Sec. 38. [REVISOR INSTRUCTION.]

In the next and subsequent editions of Minnesota Statutes, the revisor shall change all references to "compensatory revenue" to "compensatory remedial revenue."

Page 33, line 5, delete "38" and insert "39"

Page 33, line 15, delete "39" and insert "40"

The motion prevailed and the amendment was adopted.

Leppik moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 127, line 1, before "Recognizing" insert "(a)"

Page 127, after line 10, insert:

"(b) This section does not apply to the libraries of post-secondary institutions."

A roll call was requested and properly seconded.

Opatz moved to amend the Leppik amendment to H. F. No. 2333, the third engrossment, as amended, as follows:

Page 1, delete lines 3 to 6 and insert:

"Page 126, line 28, delete "public"

Page 126, line 29, delete "district"

Page 127, line 1, delete "public"

Page 127, line 4, delete "public"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 60 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Jaros	Luther	Paymar	Solberg
Bakk	Folliard	Johnson	Mahoney	Pelowski	Tomassoni
Biernat	Gleason	Juhnke	Mariani	Peterson	Trimble
Carlson	Gray	Kelliher	Marko	Pugh	Tuma
Carruthers	Greenfield	Koskinen	McCollum	Rest	Tunheim
Chaudhary	Greiling	Kubly	Milbert	Rukavina	Van Dellen
Clark, K.	Hasskamp	Larson, D.	Mullery	Schumacher	Wagenius
Dawkins	Hausman	Leighton	Opatz	Skoe	Wejzman
Dehler	Hilty	Lenczewski	Orfield	Skoglund	Wenzel
Dorn	Huntley	Lieder	Otremba	Smith	Winter

Those who voted in the negative were:

Abeler	Dempsey	Harder	Lindner	Paulsen	Sykora
Abrams	Dorman	Holberg	Mares	Reuter	Tingelstad
Anderson, B.	Erhardt	Holsten	McElroy	Rhodes	Vandever
Bishop	Erickson	Howes	Molnau	Rifenberg	Westerberg
Boudreau	Finseth	Jennings	Mulder	Rostberg	Westfall
Bradley	Fuller	Kahn	Munger	Seagren	Westrom
Broecker	Gerlach	Kielkucki	Murphy	Seifert, J.	Wilkin
Buesgens	Goodno	Knoblach	Ness	Seifert, M.	Wolf
Cassell	Gunther	Krinkie	Nornes	Stanek	Workman
Clark, J.	Haake	Kuise	Olson	Stang	Spk. Sviggum
Daggett	Haas	Larsen, P.	Osskopp	Storm	
Davids	Hackbarth	Leppik	Ozment	Swenson	

The motion did not prevail and the amendment to the amendment was not adopted.

The Speaker resumed the Chair.

The question recurred on the Leppik amendment and the roll was called. There were 80 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Abeler	Broecker	Davids	Finseth	Hackbarth	Jennings
Abrams	Carlson	Dempsey	Folliard	Harder	Johnson
Anderson, I.	Cassell	Dorman	Greiling	Holberg	Kalis
Bakk	Chaudhary	Dorn	Gunther	Holsten	Kelliher
Biernat	Clark, K.	Erhardt	Haake	Huntley	Kielkucki
Bishop	Daggett	Erickson	Haas	Jaros	Knoblach

Koskinen	McElroy	Otremba	Rostberg	Sykora	Westfall
Larsen, P.	Mullery	Ozment	Rukavina	Tingelstad	Wolf
Leppik	Munger	Paulsen	Seagren	Tomassoni	Workman
Lieder	Murphy	Paymar	Seifert, J.	Tunheim	Spk. Sviggum
Luther	Ness	Pelowski	Skoe	Wagenius	
Mares	Nornes	Peterson	Skoglund	Wejzman	
Mariani	Opatz	Rest	Storm	Wenzel	
McCollum	Orfield	Rhodes	Swenson	Westerberg	

Those who voted in the negative were:

Anderson, B.	Gerlach	Juhnke	Mahoney	Reuter	Tuma
Boudreau	Gleason	Kahn	Marko	Rifenberg	Van Dellen
Bradley	Goodno	Krinkie	Milbert	Schumacher	Vandever
Buesgens	Gray	Kubly	Molnau	Seifert, M.	Westrom
Clark, J.	Greenfield	Kuisle	Mulder	Smith	Wilkin
Dawkins	Hasskamp	Larson, D.	Olson	Solberg	Winter
Dehler	Hausman	Leighton	Osskopp	Stanek	
Entenza	Hilty	Lenczewski	Osthoff	Stang	
Fuller	Howes	Lindner	Pugh	Trimble	

The motion prevailed and the amendment was adopted.

Kielkucki, Mares, Ness and Erickson moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 124, line 29, delete "\$7,770,000" and insert "\$8,200,000"

Page 124, line 30, delete "\$7,770,000" and insert "\$8,200,000"

Page 125, line 14, delete "\$2,956,000" and insert "\$2,000,000"

Page 125, line 15, delete "\$2,956,000" and insert "\$2,000,000"

Page 125, after line 17, insert:

"Subd. 5. [SCHOOL BREAKFAST.] To operate the school breakfast program according to Minnesota Statutes, sections 124D.115 and 124D.117:

<u>\$456,000</u>	: : : : :	<u>2000</u>
<u>\$456,000</u>	: : : : :	<u>2001</u>

If the appropriation amount attributable to either year is insufficient, the rate of payment for each fully paid student breakfast shall be reduced and the aid for that year shall be prorated among participating schools so as not to exceed the total authorized appropriation for that year. Any unexpended balance remaining shall be used to subsidize the payments made for school lunch aid per Minnesota Statutes, section 124D.111.

Up to one percent of the program funding can be used by the department of children, families, and learning for technical and administrative assistance."

Page 125, line 20, delete "124D.115,"

A roll call was requested and properly seconded.

The question was taken on the Kielkucki et al amendment and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holsten	Lindner	Ozment	Swenson
Abrams	Dorn	Howes	Luther	Paulsen	Sykora
Anderson, B.	Entenza	Huntley	Mahoney	Paymar	Tingelstad
Anderson, I.	Erhardt	Jaros	Mares	Pelowski	Tomassoni
Bakk	Erickson	Jennings	Mariani	Peterson	Trimble
Biernat	Finseth	Johnson	Marko	Pugh	Tuma
Bishop	Folliard	Juhnke	McCollum	Rest	Tunheim
Boudreau	Fuller	Kahn	McElroy	Reuter	Van Dellen
Bradley	Gerlach	Kalis	Milbert	Rhodes	Vandever
Broecker	Gleason	Kelliher	Molnau	Rifenberg	Wagenius
Buesgens	Goodno	Kielkucki	Mulder	Rostberg	Wejzman
Carlson	Gray	Knoblach	Mullery	Rukavina	Wenzel
Carruthers	Greenfield	Koskinen	Munger	Schumacher	Westerberg
Cassell	Greiling	Krinkie	Murphy	Seagren	Westfall
Chaudhary	Gunther	Kubly	Ness	Seifert, J.	Westrom
Clark, J.	Haake	Kuisle	Nornes	Seifert, M.	Wilkin
Clark, K.	Haas	Larsen, P.	Olson	Skoe	Winter
Daggett	Hackbarth	Larson, D.	Opatz	Skoglund	Wolf
Davids	Harder	Leighton	Orfield	Smith	Workman
Dawkins	Hasskamp	Lenczewski	Osskopp	Solberg	Spk. Sviggum
Dehler	Hausman	Leppik	Osthoff	Stang	
Dempsey	Holberg	Lieder	Otremba	Storm	

The motion prevailed and the amendment was adopted.

Stanek was excused for the remainder of today's session.

Entenza, Johnson, Tomassoni and Carlson moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 33, delete line 14

A roll call was requested and properly seconded.

The question was taken on the Entenza et al amendment and the roll was called. There were 62 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dawkins	Greiling	Johnson	Larson, D.	Marko
Bakk	Dorn	Hasskamp	Juhnke	Leighton	McCollum
Biernat	Entenza	Hausman	Kahn	Lenczewski	Milbert
Carlson	Folliard	Hilty	Kalis	Lieder	Mullery
Carruthers	Gleason	Huntley	Kelliher	Luther	Munger
Chaudhary	Gray	Jaros	Koskinen	Mahoney	Opatz
Clark, K.	Greenfield	Jennings	Kubly	Mariani	Orfield

Osskopp	Pelowski	Rukavina	Solberg	Wagenius
Osthoff	Peterson	Schumacher	Tomassoni	Wejcman
Otremba	Pugh	Skoe	Trimble	Wenzel
Paymar	Rest	Skoglund	Tunheim	Winter

Those who voted in the negative were:

Abeler	Dempsey	Harder	McElroy	Seagren	Westerberg
Abrams	Dorman	Holberg	Molnau	Seifert, J.	Westfall
Anderson, B.	Erhardt	Holsten	Mulder	Seifert, M.	Westrom
Bishop	Erickson	Howes	Murphy	Smith	Wilkin
Boudreau	Finseth	Kielkucki	Ness	Stang	Wolf
Bradley	Fuller	Knoblach	Nornes	Storm	Workman
Broecker	Gerlach	Krinkie	Olson	Swenson	Spk. Sviggum
Buesgens	Goodno	Kuisle	Paulsen	Sykora	
Clark, J.	Gunther	Larsen, P.	Reuter	Tingelstad	
Daggett	Haake	Leppik	Rhodes	Tuma	
Davids	Haas	Lindner	Rifenberg	Van Dellen	
Dehler	Hackbarth	Mares	Rostberg	Vandever	

The motion did not prevail and the amendment was not adopted.

Ness moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 62, after line 28, insert:

"Sec. 3. [REVISOR INSTRUCTION.]

In the next and subsequent editions of Minnesota Statutes, the revisor shall change all references to "school-to-work" to "career and technical."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Opatz moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 86, after line 29, insert:

"Sec. 3. Minnesota Statutes 1998, section 120B.35, is amended to read:

120B.35 [STUDENT ACHIEVEMENT LEVELS.]

(a) Each school year, a school district must determine if the student achievement levels at each school site meet state expectations as established by the commissioner in consultation with the office of educational accountability. If student achievement levels at a school site do not meet state expectations for two out of three consecutive school years, beginning with the 1999-2000 school year, the district must work with the school site to adopt a plan to raise student achievement levels to state expectations. The legislature will determine state expectations after receiving a recommendation from the commissioner of children, families, and learning. The commissioner must submit its recommendations to the legislature by December 15, 1998.

(b) The department must assist the district and the school site in developing a plan to improve student achievement. The plan must include parental involvement components.

(Effective Date: Section 3 (120B.35) is effective the day following final enactment.)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Opatz amendment and the roll was called. There were 5 yeas and 124 nays as follows:

Those who voted in the affirmative were:

Abeler	Carruthers	Chaudhary	Opatz	Seagren
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Those who voted in the negative were:

Abrams	Entenza	Holsten	Lieder	Paulsen	Sykora
Anderson, B.	Erhardt	Howes	Lindner	Paymar	Tingelstad
Anderson, I.	Erickson	Huntley	Luther	Pelowski	Tomassoni
Bakk	Finseth	Jaros	Mahoney	Peterson	Trimble
Biernat	Folliard	Jennings	Mares	Pugh	Tuma
Bishop	Fuller	Johnson	Marko	Rest	Tunheim
Boudreau	Gerlach	Juhnke	McCollum	Reuter	Van Dellen
Bradley	Gleason	Kahn	McElroy	Rhodes	Vandever
Broecker	Goodno	Kalis	Milbert	Rifenberg	Wagenius
Buesgens	Gray	Kelliher	Molnau	Rostberg	Wejcman
Carlson	Greenfield	Kielkucki	Mullery	Rukavina	Wenzel
Cassell	Greiling	Knoblach	Munger	Schumacher	Westerberg
Clark, J.	Gunther	Koskinen	Murphy	Seifert, J.	Westfall
Clark, K.	Haake	Krinkie	Ness	Seifert, M.	Westrom
Daggett	Haas	Kubly	Nornes	Skoe	Wilkin
Davids	Hackbarth	Kuise	Olson	Skoglund	Winter
Dawkins	Harder	Larsen, P.	Orfield	Smith	Wolf
Dehler	Hasskamp	Larson, D.	Osskopp	Solberg	Workman
Dempsey	Hausman	Leighton	Osthoff	Stang	Spk. Sviggum
Dorman	Hilty	Lenczewski	Otremba	Storm	
Dom	Holberg	Leppik	Ozment	Swenson	

The motion did not prevail and the amendment was not adopted.

CALL OF THE HOUSE

On the motion of Folliard and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Anderson, I.	Bishop	Broecker	Carruthers	Clark, J.
Abrams	Bakk	Boudreau	Buesgens	Cassell	Clark, K.
Anderson, B.	Biernat	Bradley	Carlson	Chaudhary	Daggett

Davids	Haake	Koskinen	Milbert	Peterson	Sykora
Dawkins	Haas	Krinkie	Molnau	Pugh	Tingelstad
Dehler	Hackbarth	Kubly	Mulder	Rest	Tomassoni
Dempsey	Harder	Kuisle	Mullery	Reuter	Tuma
Dorman	Hasskamp	Larsen, P.	Munger	Rhodes	Tunheim
Entenza	Hausman	Larson, D.	Murphy	Rifenberg	Van Dellen
Erhardt	Hilty	Leighton	Ness	Rostberg	Vandever
Erickson	Holberg	Lenczewski	Nornes	Rukavina	Wagenius
Finseth	Howes	Leppik	Olson	Seagren	Wejman
Folliard	Huntley	Lieder	Opatz	Seifert, J.	Wenzel
Fuller	Jaros	Lindner	Orfield	Seifert, M.	Westerberg
Gerlach	Jennings	Luther	Osskopp	Skoe	Westfall
Gleason	Johnson	Mahoney	Osthoff	Skoglund	Westrom
Goodno	Juhnke	Mares	Otremba	Smith	Wilkin
Gray	Kalis	Mariani	Ozment	Solberg	Winter
Greenfield	Kelliher	Marko	Paulsen	Stang	Wolf
Greiling	Kielkucki	McCollum	Paymar	Storm	Spk. Sviggum
Gunther	Knoblach	McElroy	Pelowski	Swenson	

Abrams moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Folliard, Koskinen, Greiling, Pugh, Biernat, Leighton, Schumacher, Gleason, Juhnke, Tomassoni and Mahoney moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 64, after line 14, insert:

"Sec. 5. Minnesota Statutes 1998, section 123B.57, subdivision 2, is amended to read:

Subd. 2. [CONTENTS OF PROGRAM.] A district must adopt a health and safety program. The program must include plans, where applicable, for hazardous substance removal, fire and life safety code repairs, regulated facility and equipment violations, student and staff safety, and health, safety, and environmental management, including indoor air quality management.

(a) A hazardous substance plan must contain provisions for the removal or encapsulation of asbestos from school buildings or property, asbestos-related repairs, cleanup and disposal of polychlorinated biphenyls found in school buildings or property, and cleanup, removal, disposal, and repairs related to storing heating fuel or transportation fuels such as alcohol, gasoline, fuel, oil, and special fuel, as defined in section 296A.01. If a district has already developed a plan for the removal or encapsulation of asbestos as required by the federal Asbestos Hazard Emergency Response Act of 1986, the district may use a summary of that plan, which includes a description and schedule of response actions, for purposes of this section. The plan must also contain provisions to make modifications to existing facilities and equipment necessary to limit personal exposure to hazardous substances, as regulated by the federal Occupational Safety and Health Administration under Code of Federal Regulations, title 29, part 1910, subpart Z; or is determined by the commissioner to present a significant risk to district staff or student health and safety as a result of foreseeable use, handling, accidental spill, exposure, or contamination.

(b) A fire and life safety plan must contain a description of the current fire and life safety code violations, a plan for the removal or repair of the fire and life safety hazard, and a description of safety preparation and awareness procedures to be followed until the hazard is fully corrected.

(c) A facilities and equipment violation plan must contain provisions to correct health and safety hazards as provided in department of labor and industry standards pursuant to section 182.655.

(d) A health, safety, and environmental management plan must contain a description of training, recordkeeping, hazard assessment, and program management as defined in section 123B.56.

(e) A plan to test for and mitigate radon produced hazards.

(f) A plan to monitor and improve indoor air quality.

(g) For fiscal years 2000 and later, a student and staff safety plan must contain a description of a plan to make school facilities safer and more secure. The plan may include additional staffing of police liaison officers, adult hall monitors, security cameras, and any other technology designed to improve school security. For the 2000-2001 biennium only, if the total amount of approved projects under this paragraph were to exceed \$3,300,000, the commissioner must proportionately reduce each district's request so that not more than \$3,300,000 is spent on projects authorized under this paragraph."

Page 82, delete lines 21 to 36

Page 83, delete lines 1 to 36

Page 84, delete lines 1 to 26

Page 108, line 4, delete subdivision 12

Page 108, line 12, delete subdivision 13

Page 108, line 34, delete subdivision 15

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Ness raised a point of order pursuant to rule 3.21 that the Folliard et al amendment was not in order. The Speaker ruled the point of order not well taken and the Folliard et al amendment in order.

Kielkucki and Davids moved to amend the Folliard et al amendment to H. F. No. 2333, the third engrossment, as amended, as follows:

Page 1, after line 2, insert:

"Page 31, line 12, delete "\$3,597" and insert "\$3,537"

Page 32, line 14, delete "\$3,147,732,000" and insert "\$3,144,762,000"

Page 32, line 18, delete "\$2,852,490,000" and insert "\$2,849,520,000"

Page 2, delete lines 33 to 36

Page 3, delete lines 1 and 2

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 65 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Harder	Mariani	Rhodes	Tingelstad
Anderson, B.	Dorman	Holberg	McElroy	Rifenberg	Tuma
Bishop	Erhardt	Holsten	Molnau	Rostberg	Van Dellen
Boudreau	Erickson	Howes	Mulder	Seagren	Vandever
Bradley	Finseth	Kielkucki	Ness	Seifert, J.	Westerberg
Broecker	Fuller	Knoblach	Nornes	Seifert, M.	Westfall
Cassell	Gerlach	Krinkie	Olson	Smith	Westrom
Clark, J.	Goodno	Kuisle	Osskopp	Stang	Wilkin
Daggett	Gunther	Larsen, P.	Ozment	Storm	Workman
Davids	Haake	Leppik	Paulsen	Swenson	Spk. Sviggum
Dehler	Haas	Mares	Reuter	Sykora	

Those who voted in the negative were:

Abeler	Folliard	Johnson	Luther	Otremba	Trimble
Anderson, I.	Gleason	Juhnke	Mahoney	Paymar	Tunheim
Bakk	Gray	Kahn	Marko	Pelowski	Wagenius
Biernat	Greenfield	Kalis	McCollum	Peterson	Wejzman
Buesgens	Greiling	Kelliher	McGuire	Pugh	Wenzel
Carlson	Hackbarth	Koskinen	Milbert	Rest	Winter
Carruthers	Hasskamp	Kubly	Mullery	Rukavina	Wolf
Chaudhary	Hausman	Larson, D.	Munger	Schumacher	
Clark, K.	Hilty	Leighton	Murphy	Skoe	
Dawkins	Huntley	Lenczewski	Opatz	Skoglund	
Dorn	Jaros	Lieder	Orfield	Solberg	
Entenza	Jennings	Lindner	Osthoff	Tomassoni	

The motion did not prevail and the amendment to the amendment was not adopted.

Tuma requested a division of the Folliard et al amendment to H. F. No. 2333, the third engrossment, as amended.

Tuma further requested that the second portion of the divided Folliard et al amendment to H. F. No. 2333, the third engrossment, as amended, be voted on first.

The second portion of the Folliard et al amendment to H. F. No. 2333, the third engrossment, as amended, reads as follows:

Page 64, after line 14, insert:

"Sec. 5. Minnesota Statutes 1998, section 123B.57, subdivision 2, is amended to read:

"For the 2000-2001 biennium only, if the total amount of approved projects under this paragraph were to exceed \$3,300,000, the commissioner must proportionately reduce each district's request so that not more than \$3,300,000 is spent on projects authorized under this paragraph."

Page 82, delete lines 21 to 36

Page 83, delete lines 1 to 36

Page 84, delete lines 1 to 26

Page 108, line 4, delete subdivision 12

Page 108, line 12, delete subdivision 13

Page 108, line 34, delete subdivision 15

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the second portion of the Folliard et al amendment and the roll was called. There were 62 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Juhnke	Mariani	Otremba	Tomassoni
Bakk	Gray	Kahn	Marko	Paymar	Trimble
Biernat	Greenfield	Kalis	McCollum	Pelowski	Tunheim
Carlson	Greiling	Kelliher	McGuire	Peterson	Wagenius
Carruthers	Hasskamp	Koskinen	Milbert	Pugh	Wejcman
Chaudhary	Hausman	Kubly	Mullery	Rest	Wenzel
Clark, K.	Hilty	Larson, D.	Munger	Rukavina	Winter
Dawkins	Huntley	Lenczewski	Murphy	Schumacher	
Dorn	Jaros	Lieder	Opatz	Skoe	
Entenza	Jennings	Luther	Orfield	Skoglund	
Folliard	Johnson	Mahoney	Osthoff	Solberg	

Those who voted in the negative were:

Abeler	Buesgens	Dorman	Gunther	Howes	Leppik
Abrams	Cassell	Erhardt	Haake	Kielkucki	Lindner
Anderson, B.	Clark, J.	Erickson	Haas	Knoblach	Mares
Bishop	Daggett	Finseth	Hackbarth	Krinkie	McElroy
Boudreau	Davids	Fuller	Harder	Kuisle	Molnau
Bradley	Dehler	Gerlach	Holberg	Larsen, P.	Mulder
Broecker	Dempsey	Goodno	Holsten	Leighton	Ness

Nornes	Reuter	Seifert, J.	Swenson	Vandever	Wolf
Olson	Rhodes	Seifert, M.	Sykora	Westerberg	Workman
Osskopp	Rifenberg	Smith	Tingelstad	Westfall	Spk. Sviggum
Ozment	Rostberg	Stang	Tuma	Westrom	
Paulsen	Seagren	Storm	Van Dellen	Wilkin	

The motion did not prevail and the second portion of the Folliard et al amendment was not adopted.

Folliard withdrew the first portion of the Folliard et al amendment to H. F. No. 2333, the third engrossment, as amended.

The Speaker called Abrams to the Chair.

Mulder moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 33, lines 25 and 31, delete "STI" and insert "STD"

Page 33, line 31, delete "infection" and insert "disease"

Page 34, lines 4, 13, 22, and 28, delete "STI" and insert "STD"

Page 34, line 10, delete "STI" and insert "STD" in both places

Page 34, line 14, delete "STI" and insert "STD"

The motion prevailed and the amendment was adopted.

Cassell moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 136, after line 36, insert:

"Sec. 4. Minnesota Statutes 1998, section 121A.45, subdivision 2, is amended to read:

Subd. 2. [GROUNDS FOR DISMISSAL.] A pupil may be dismissed on any of the following grounds:

(a) willful violation of any reasonable school board regulation. Such regulation must be clear and definite to provide notice to pupils that they must conform their conduct to its requirements;

(b) willful conduct that ~~materially and substantially~~ significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn; ~~or~~

(c) willful conduct that disrupts a classroom, the school environment, or the functions of a school; ~~or~~

(d) willful conduct that endangers the pupil or other pupils, or surrounding persons, including school district employees, or property of the school.

(Effective Date: Section 4 (121A.45, subdivision 2) is effective for the 1999-2000 school year and thereafter.)

Sec. 5. Minnesota Statutes 1998, section 121A.61, subdivision 2, is amended to read:

Subd. 2. [GROUNDS FOR REMOVAL FROM CLASS.] The policy must establish the various grounds for which a student may be removed from a class in the district for a period of time ~~pursuant to~~ under the procedures specified in the policy. The grounds in the policy must include at least the following provisions, as well as other grounds determined appropriate by the board:

(a) willful conduct ~~which materially and substantially~~ that disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;

(b) willful conduct ~~which~~ that endangers surrounding persons, including school district employees, the student or other students, or the property of the school; and

(c) willful violation of any rule of conduct specified in the discipline policy adopted by the board.

(Effective Date: Section 5 (121A.61, subdivision 2) is effective for the 1999-2000 school year and thereafter.)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Reuter; Rifenberg; Bradley; Wilkin; Workman; Kielkucki; Storm; Dehler; Otremba; Gerlach; Hasskamp; Vandever; Erickson; Lindner; Buesgens; Osskopp; Harder; Davids; Mulder; Haake; Goodno; Fuller; Van Dellen; Seifert, J.; Finseth; Molnau; Holberg; Olson; Larsen, P.; Westfall; Stang and Anderson, B., moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 136, after line 36, insert:

"Sec. 4. [121A.24] [RESTRICTION ON DISTRIBUTION OF CONTRACEPTIVES.]

A public school may not distribute or allow to be distributed on school property contraceptives or a voucher or prescription for contraceptives to a student without the written permission of that student's parent or guardian."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Reuter et al amendment and the roll was called. There were 113 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Bishop	Broecker	Carruthers	Clark, J.
Abrams	Bakk	Boudreau	Buesgens	Cassell	Daggett
Anderson, B.	Biernat	Bradley	Carlson	Chaudhary	Davids

Dehler	Haas	Kubly	Molnau	Rest	Tingelstad
Dempsey	Hackbarth	Kuisle	Mulder	Reuter	Tuma
Dorman	Harder	Larsen, P.	Mullery	Rhodes	Tunheim
Dorn	Hasskamp	Larson, D.	Murphy	Rifenberg	Van Dellen
Erhardt	Hilty	Leighton	Ness	Rostberg	Vandever
Erickson	Holberg	Lenczewski	Nornes	Schumacher	Wagenius
Finseth	Holsten	Leppik	Olson	Seagren	Wenzel
Folliard	Howes	Lieder	Opatz	Seifert, J.	Westerberg
Fuller	Jennings	Lindner	Orfield	Seifert, M.	Westfall
Gerlach	Johnson	Luther	Osskopp	Skoe	Westrom
Gleason	Juhnke	Mares	Otremba	Smith	Wilkin
Goodno	Kalis	Marko	Ozment	Solberg	Winter
Gray	Kielkucki	McCollum	Paulsen	Stang	Wolf
Greiling	Knoblach	McElroy	Pelowski	Storm	Workman
Gunther	Koskinen	McGuire	Peterson	Swenson	Spk. Sviggum
Haake	Krinkie	Milbert	Pugh	Sykora	

Those who voted in the negative were:

Clark, K.	Hausman	Kahn	Mariani	Paymar	Tomassoni
Dawkins	Huntley	Kelliher	Munger	Rukavina	Trimble
Greenfield	Jaros	Mahoney	Osthoff	Skoglund	Wejcmán

The motion prevailed and the amendment was adopted.

Tomassoni and Tunheim moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 11, after line 6, insert:

"Sec. 10. Minnesota Statutes 1998, section 126C.05, is amended by adding a subdivision to read:

Subd. 19. [DECLINING PUPIL UNITS.] Declining pupil units for a district is a district's pupil units, as defined in subdivision 1, three years prior to the current year less a district's pupil units in the current year. Declining pupil units for a district shall not be less than zero."

Page 11, line 16, after "revenue," insert "declining pupil revenue,"

Page 17, after line 34, insert:

"Sec. 22. Minnesota Statutes 1998, section 126C.10, is amended by adding a subdivision to read:

Subd. 26. [DECLINING PUPIL UNIT AID.] A district's declining pupil unit aid is equal to its declining pupil units multiplied by \$1,000.

(Effective Date: Section 22 (126C.10, subdivision 26) is effective July 1, 2000, for revenue for fiscal year 2001 and later.)"

Page 32, line 14, delete "\$3,147,732,000" and insert "\$3,159,732,000"

Page 32, line 18, delete "\$2,852,490,000" and insert "\$2,864,490,000"

Page 141, line 7, delete "\$30,099,000" and insert "\$22,500,000"

Page 141, line 8, delete "\$27,385,000" and insert "\$20,000,000"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Tomassoni and Tunheim amendment and the roll was called.

Molnau moved that those not voting be excused from voting. The motion prevailed.

There were 66 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Jennings	Lieder	Orfield	Skoglund
Bakk	Fuller	Johnson	Luther	Osthoff	Solberg
Biernat	Gleason	Juhnke	Mahoney	Otremba	Storm
Carlson	Gray	Kahn	Mariani	Paymar	Tomassoni
Carruthers	Greenfield	Kalis	Marko	Pelowski	Trimble
Chaudhary	Greiling	Kelliher	McCollum	Peterson	Tunheim
Clark, K.	Hasskamp	Koskinen	McGuire	Pugh	Wagenius
Dawkins	Hausman	Kubly	Milbert	Rest	Wejzman
Dorman	Hilty	Larson, D.	Mullery	Rukavina	Wenzel
Dorn	Huntley	Leighton	Munger	Schumacher	Westrom
Entenza	Jaros	Lenczewski	Murphy	Skoe	Winter

Those who voted in the negative were:

Abeler	Davids	Hackbarth	Lindner	Paulsen	Sykora
Abrams	Dehler	Harder	Mares	Reuter	Tingelstad
Anderson, B.	Dempsey	Holberg	McElroy	Rhodes	Tuma
Bishop	Erhardt	Holsten	Molnau	Rifenberg	Van Dellen
Boudreau	Erickson	Howes	Mulder	Rostberg	Vandever
Bradley	Finseth	Kielkucki	Ness	Seagren	Westerberg
Broecker	Gerlach	Knoblach	Nornes	Seifert, J.	Westfall
Buesgens	Goodno	Krinkie	Olson	Seifert, M.	Wilkin
Cassell	Gunther	Kuisle	Opatz	Smith	Wolf
Clark, J.	Haake	Larsen, P.	Osskopp	Stang	Workman
Daggett	Haas	Leppik	Ozment	Swenson	Spk. Sviggum

The motion did not prevail and the amendment was not adopted.

Munger was excused for the remainder of today's session.

Olson; Osskopp; Reuter; Seifert, J.; Hasskamp; Gerlach; Vandever; Otremba; Swenson; Ness; Anderson, B.; Anderson, I.; Kielkucki; Lindner; Van Dellen; Wilkin; Ozment; Cassell; Larsen, P.; Erickson; Seifert, M., and Buesgens offered an amendment to H. F. No. 2333, the third engrossment, as amended.

Johnson requested a division of the Olson et al amendment to H. F. No. 2333, the third engrossment, as amended.

The first portion of the Olson et al amendment to H. F. No. 2333, the third engrossment, as amended, reads as follows:

Page 136, after line 8, insert:

"Sec. 3. [120B.015] [ENSURING FREEDOM OF CHOICE IN EDUCATION.]

(a) The state shall not prescribe graduation standards for nonpublic schools except as described in Minnesota Statutes 1998, section 120A.22, and related provisions.

(Effective Date: Section 3 (120B.015) is effective immediately.)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the first portion of the Olson et al amendment and the roll was called. There were 94 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Holsten	Luther	Pelowski	Tingelstad
Abrams	Erhardt	Howes	Mares	Peterson	Tuma
Anderson, B.	Erickson	Huntley	Marko	Rest	Tunheim
Biernat	Finseth	Jennings	McElroy	Reuter	Van Dellen
Bishop	Fuller	Juhnke	Milbert	Rhodes	Vandever
Boudreau	Gerlach	Kalis	Molnau	Rifenberg	Wenzel
Bradley	Gleason	Kielkucki	Mulder	Rostberg	Westerberg
Broecker	Goodno	Knoblach	Murphy	Schumacher	Westfall
Buesgens	Gunther	Krinkie	Ness	Seagren	Westrom
Cassell	Haake	Kubly	Nornes	Seifert, J.	Wilkin
Clark, J.	Haas	Kuisle	Olson	Seifert, M.	Winter
Daggett	Hackbarth	Larsen, P.	Opatz	Smith	Wolf
Davids	Harder	Larson, D.	Osskopp	Stang	Workman
Dehler	Hasskamp	Lenczewski	Otremba	Storm	Spk. Sviggum
Dempsey	Hausman	Leppik	Ozment	Swenson	
Dorman	Holberg	Lindner	Paulsen	Sykora	

Those who voted in the negative were:

Anderson, I.	Entenza	Johnson	Mariani	Pugh	Wagenius
Bakk	Folliard	Kahn	McCollum	Rukavina	Wejeman
Carlson	Gray	Kelliher	McGuire	Skoe	
Carruthers	Greenfield	Koskinen	Mullery	Skoglund	
Chaudhary	Greiling	Leighton	Orfield	Solberg	
Clark, K.	Hilty	Lieder	Osthoff	Tomassoni	
Dawkins	Jaros	Mahoney	Paymar	Trimble	

The motion prevailed and the first portion of the Olson et al amendment was adopted.

The second portion of the Olson et al amendment to H. F. No. 2333, the third engrossment, as amended, reads as follows:

Page 136, after line 8, insert:

"Sec. 3 [120B.015] [ENSURING FREEDOM OF CHOICE IN EDUCATION.]

"(b) The state shall not enter into any contract with the federal government involving the Goals 2000: Educate America Act, the Improving America's Schools Act of 1994, the School-to-Work Opportunities Act of 1994 or the Workforce Investment Act of 1998 if a term in any such contract violates paragraph (a).

(Effective Date: Section 3 (120B.015) is effective immediately.)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the second portion of the Olson et al amendment and the roll was called. There were 103 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Huntley	Luther	Pugh	Tuma
Abrams	Erhardt	Jennings	Mares	Rest	Tunheim
Anderson, B.	Erickson	Johnson	Marko	Reuter	Van Dellen
Anderson, I.	Finseth	Juhnke	McCollum	Rhodes	Vandever
Biernat	Fuller	Kalis	McElroy	Rifenberg	Wenzel
Bishop	Gerlach	Kelliher	Molnau	Rostberg	Westerberg
Boudreau	Gleason	Kielkucki	Mulder	Schumacher	Westfall
Bradley	Goodno	Knoblach	Mullery	Seagren	Westrom
Broecker	Gunther	Koskinen	Ness	Seifert, J.	Wilkin
Buesgens	Haake	Krinkie	Nornes	Seifert, M.	Winter
Carlson	Haas	Kubly	Olson	Skoe	Wolf
Cassell	Hackbarth	Kuisele	Opatz	Smith	Workman
Clark, J.	Harder	Larsen, P.	Osskopp	Solberg	Spk. Sviggum
Daggett	Hasskamp	Larson, D.	Otremba	Stang	
Davids	Hausman	Lenczewski	Ozment	Storm	
Dehler	Holberg	Leppik	Paulsen	Swenson	
Dempsey	Holsten	Lieder	Pelowski	Sykora	
Dorman	Howes	Lindner	Peterson	Tingelstad	

Those who voted in the negative were:

Bakk	Entenza	Hilty	Mariani	Osthoff	Trimble
Carruthers	Folliard	Jaros	McGuire	Paymar	Wagenius
Chaudhary	Gray	Kahn	Milbert	Rukavina	Wejcman
Clark, K.	Greenfield	Leighton	Murphy	Skoglund	
Dawkins	Greiling	Mahoney	Orfield	Tomassoni	

The motion prevailed and the second portion of the Olson et al amendment was adopted.

Entenza, Carlson, Johnson, Tomassoni and Greiling moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 59, delete lines 32 to 36

Page 60, after line 15, insert:

"Subd. 23. [FIRST GRADE PREPAREDNESS.] (a) For first grade preparedness grants under section 124D.081:

<u>\$7,500,000</u>	: : : : :	<u>2000</u>
<u>\$7,500,000</u>	: : : : :	<u>2001</u>

(b) These appropriations must be distributed in the same manner as the grants for fiscal year 1999 under section 26. Any remaining funds must be distributed according to the program's formula."

Page 60, line 17, before "Minnesota" insert "(a)"

Page 60, after line 23, insert:

"(b) Minnesota Statutes 1998, section 124D.081, subdivision 8, is repealed the day following final enactment."

Page 141, line 7, delete "\$30,099,000" and insert "\$22,500,000"

Page 141, line 8, delete "\$27,385,000" and insert "\$20,000,000"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Entenza et al amendment and the roll was called. There were 65 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Jaros	Lenczewski	Opatz	Skoe
Bakk	Folliard	Jennings	Lieder	Orfield	Skoglund
Biernat	Fuller	Johnson	Luther	Osthoff	Solberg
Carlson	Gleason	Juhnke	Mahoney	Otremba	Tomassoni
Carruthers	Gray	Kahn	Mariani	Paymar	Trimble
Chaudhary	Greenfield	Kalis	Marko	Pelowski	Tunheim
Clark, K.	Greiling	Kelliher	McCollum	Peterson	Wagenius
Daggett	Hasskamp	Koskinen	McGuire	Pugh	Wejzman
Dawkins	Hausman	Kubly	Milbert	Rest	Wenzel
Dehler	Hilty	Larson, D.	Mullery	Rukavina	Winter
Dorn	Huntley	Leighton	Murphy	Schumacher	

Those who voted in the negative were:

Abeler	Bishop	Broecker	Clark, J.	Dorman	Finseth
Abrams	Boudreau	Buesgens	Dauids	Erhardt	Gerlach
Anderson, B.	Bradley	Cassell	Dempsey	Erickson	Goodno

Gunther	Kielkucki	McElroy	Paulsen	Smith	Vandever
Haake	Knoblach	Molnau	Reuter	Stang	Westerberg
Haas	Krinkie	Mulder	Rhodes	Storm	Westfall
Hackbarth	Kuisle	Ness	Rifenberg	Swenson	Westrom
Harder	Larsen, P.	Nornes	Rostberg	Sykora	Wilkin
Holberg	Leppik	Olson	Seagren	Tingelstad	Wolf
Holsten	Lindner	Osskopp	Seifert, J.	Tuma	Workman
Howes	Mares	Ozment	Seifert, M.	Van Dellen	Spk. Sviggum

The motion did not prevail and the amendment was not adopted.

Greiling moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 17, after line 34, insert:

"Sec. 21. Minnesota Statutes 1998, section 126C.11, is amended to read:

126C.11 [TRAINING AND EXPERIENCE INDEX.]

The training and experience index for fiscal year ~~1999~~ 2002 and later must be constructed in the following manner:

(a) The department must construct a matrix that classifies teachers by the extent of training received in accredited institutions of higher education and by the years of experience that districts take into account in determining teacher salaries.

(b) The average salary for each cell of the matrix must be computed as follows using data from ~~fiscal year 1997~~ the second year from the previous biennium:

(1) For each district, multiply the salary paid to full-time equivalent teachers with that combination of training and experience according to the district's teacher salary schedule by the number of resident pupil units in that district.

(2) Add the amounts computed in clause (1) for all districts in the state and divide the resulting sum by the total number of resident pupil units in all districts in the state that employ teachers.

(c) For each cell in the matrix, compute the ratio of the average salary in that cell to the average salary for all teachers in the state during ~~fiscal year 1997~~ the second year of the previous biennium.

(d) The index for each district that employs teachers equals the sum of: ~~(i) for teachers employed in that district during fiscal year 1997 and the current fiscal year, the ratios for each teacher computed using data for fiscal year 1997; and (ii) for teachers employed in that district during the current fiscal year but not during fiscal year 1997, the ratio for teachers who are in their first year of teaching and who have no additional credits or degrees above a bachelor's degree~~ divided by the number of teachers in that district. The index for a district that employs no teachers is zero.

(e) For fiscal year 2001 only, the index for each district must be proportionately increased until statewide, the training and experience revenue under section 126C.10, subdivision 5, has been increased by \$15,000,000.

(Effective Date: Section 21 (126C.11) is effective for revenue for fiscal year 2002 and later.)"

Page 32, line 14, delete "\$3,147,732,000" and insert "\$3,162,732,000"

Page 32, line 18, delete "\$2,852,490,000" and insert "\$2,867,490,000"

Page 141, line 7, delete "\$30,099,000" and insert "\$22,500,000"

Page 141, line 8, delete "\$27,385,000" and insert "\$20,000,000"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Greiling amendment and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abrams	Dorn	Huntley	Larson, D.	Mullery	Rukavina
Anderson, I.	Entenza	Jaros	Leighton	Murphy	Schumacher
Bakk	Folliard	Jennings	Lieder	Orfield	Skoglund
Biernat	Gleason	Johnson	Luther	Osthoff	Solberg
Carlson	Gray	Juhnke	Mahoney	Otremba	Tomassoni
Carruthers	Greenfield	Kahn	Mariani	Paymar	Trimble
Chaudhary	Greiling	Kalis	Marko	Pelowski	Tunheim
Clark, K.	Hasskamp	Kelliher	McCollum	Peterson	Wagenius
Dawkins	Hausman	Koskinen	McGuire	Pugh	Wejcman
Dempsey	Hilty	Kubly	Milbert	Rest	Winter

Those who voted in the negative were:

Abeler	Dorman	Holberg	McElroy	Rifenberg	Tuma
Anderson, B.	Erhardt	Holsten	Molnau	Rostberg	Van Dellen
Bishop	Erickson	Howes	Mulder	Seagren	Vandever
Boudreau	Finseth	Kielkucki	Ness	Seifert, J.	Wenzel
Bradley	Fuller	Knoblach	Nornes	Seifert, M.	Westerberg
Broecker	Gerlach	Krinkie	Olson	Skoe	Westfall
Buesgens	Goodno	Kuisle	Opatz	Smith	Westrom
Cassell	Gunther	Larsen, P.	Osskopp	Stang	Wilkin
Clark, J.	Haake	Lenczewski	Ozment	Storm	Wolf
Daggett	Haas	Leppik	Paulsen	Swenson	Workman
Davids	Hackbarth	Lindner	Reuter	Sykora	Spk. Sviggum
Dehler	Harder	Mares	Rhodes	Tingelstad	

The motion did not prevail and the amendment was not adopted.

Schumacher offered an amendment to H. F. No. 2333, the third engrossment, as amended.

POINT OF ORDER

Tuma raised a point of order pursuant to rule 3.21 that the Schumacher amendment was not in order. Speaker pro tempore Abrams ruled the point of order not well taken and the Schumacher amendment in order.

POINT OF ORDER

McElroy raised a point of order pursuant to rule 4.03 relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills that the Schumacher amendment was not in order. Speaker pro tempore Abrams ruled the point of order well taken and the Schumacher amendment out of order.

Schumacher appealed the decision of Speaker pro tempore Abrams.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Abrams stand as the judgment of the House?" and the roll was called.

Pugh moved that those not voting be excused from voting. The motion did not prevail.

There were 73 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Holberg	McElroy	Seagren	Westerberg
Abrams	Dorman	Holsten	Molnau	Seifert, J.	Westfall
Anderson, B.	Erhardt	Howes	Mulder	Seifert, M.	Westrom
Bishop	Erickson	Huntley	Ness	Skoglund	Wilkin
Boudreau	Finseth	Jennings	Nornes	Smith	Winter
Bradley	Fuller	Kielkucki	Olson	Stang	Wolf
Broecker	Gerlach	Knoblach	Osskopp	Storm	Workman
Buesgens	Goodno	Krinkie	Ozment	Swenson	Spk. Sviggum
Cassell	Gunther	Kuise	Paulsen	Sykora	
Clark, J.	Haake	Larsen, P.	Reuter	Tingelstad	
Daggett	Haas	Leppik	Rhodes	Tuma	
Davids	Hackbarth	Lindner	Rifenberg	Van Dellen	
Dehler	Harder	Mares	Rostberg	Vandevier	

Those who voted in the negative were:

Anderson, I.	Folliard	Juhnke	Luther	Orfield	Skoe
Bakk	Gleason	Kahn	Mahoney	Osthoff	Solberg
Biernat	Gray	Kalis	Mariani	Otremba	Tomassoni
Carlson	Greenfield	Kelliher	Marko	Paymar	Trimble
Carruthers	Greiling	Koskinen	McCollum	Pelowski	Tunheim
Chaudhary	Hasskamp	Kubly	McGuire	Peterson	Wagenius
Clark, K.	Hausman	Larson, D.	Milbert	Pugh	Wejzman
Dawkins	Hilty	Leighton	Mullery	Rest	Wenzel
Dorn	Jaros	Lenczewski	Murphy	Rukavina	
Entenza	Johnson	Lieder	Opatz	Schumacher	

So it was the judgment of the House that the decision of Speaker pro tempore Abrams should stand.

Biernat, Tunheim, Schumacher and Tomassoni moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 2, after line 25, insert:

"Section 1. Minnesota Statutes 1998, section 16A.152, subdivision 2, is amended to read:

Subd. 2. [ADDITIONAL REVENUES; PRIORITY.] If on the basis of a forecast of general fund revenues and expenditures after November 1 in an odd-numbered year, the commissioner of finance determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of finance must allocate money as follows:

(1) first, ~~to the budget reserve until the total amount in the account equals \$622,000,000~~ to increase the basic formula allowance under section 126C.10, subdivision 2, to \$3,900 per pupil unit; then

(2) 60 percent to the property tax reform account established in section 16A.1521; and

(3) 40 percent is an unrestricted balance in the general fund.

The amounts necessary to meet the requirements of this section are appropriated from the general fund within two weeks after the forecast is released.

(Effective Date: Section 1 is effective for forecasts issued after April 30, 1999.)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

Wagenius and Greiling moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 64, after line 26, insert:

"Sec. 6. [123B.575] [PESTICIDE APPLICATION AT SCHOOLS.]

Subdivision 1. [PARENTS' RIGHT TO KNOW ACT.] Subdivisions 2 and 3 of this section may be cited as the Parents' Right to Know Act of 1999.

Subd. 2. [PESTICIDE APPLICATION NOTIFICATION.] A school district that plans to apply a pesticide which is a Toxicity Category I, II, or III Pesticide Product, as classified by the United States Environmental Protection Agency, or a restricted use pesticide, as designated under the Federal Insecticide, Fungicide, and Rodenticide Act, must provide a notice to parents and employees that it applies such pesticides. The notice must provide that an estimated schedule of the pesticide applications is available for review or copying at the school offices where such pesticides are applied. The notice must also state that long-term health effects on children from the application of such pesticides or the class of chemicals to which they belong may not be fully understood.

Subd. 3. [NOTICE AVAILABILITY.] A school district that uses a pesticide which is a Toxicity Category I, II, or III Pesticide Product, as classified by the United States Environmental Protection Agency, or a restricted use pesticide, as designated under the Federal Insecticide, Fungicide, and Rodenticide Act, must keep its notification required under subdivision 2 in a manner available to the public. The notice must also be provided at least annually to the parent or guardian of each student and to each employee. The notice may be included in any other notice that is provided to a parent or guardian or employee.

(Effective Date: Section 6 (123B.575) is effective July 1, 2000.)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Wagenius and Greiling amendment and the roll was called. There were 65 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Juhnke	Luther	Osthoff	Skoglund
Bakk	Gray	Kahn	Mahoney	Otremba	Smith
Biernat	Greenfield	Kalis	Mariani	Paymar	Solberg
Carlson	Greiling	Kelliher	Marko	Pelowski	Tomassoni
Carruthers	Hasskamp	Koskinen	McCollum	Peterson	Trimble
Chaudhary	Hausman	Kubly	McGuire	Pugh	Tunheim
Clark, K.	Hilty	Larson, D.	Milbert	Rest	Wagenius
Dawkins	Huntley	Leighton	Mullery	Rostberg	Wejzman
Dorn	Jaros	Lenczewski	Murphy	Rukavina	Wenzel
Entenza	Jennings	Leppik	Opatz	Schumacher	Winter
Folliard	Johnson	Lieder	Orfield	Skoe	

Those who voted in the negative were:

Abeler	Davids	Haake	Larsen, P.	Paulsen	Tingelstad
Abrams	Dehler	Haas	Lindner	Reuter	Tuma
Anderson, B.	Dempsey	Hackbarth	Mares	Rhodes	Van Dellen
Bishop	Dorman	Harder	McElroy	Rifenberg	Vandever
Boudreau	Erhardt	Holberg	Molnau	Seagren	Westerberg
Bradley	Erickson	Holsten	Mulder	Seifert, J.	Westfall
Broecker	Finseth	Howes	Ness	Seifert, M.	Westrom
Buesgens	Fuller	Kielkucki	Nornes	Stang	Wilkin
Cassell	Gerlach	Knoblach	Olson	Storm	Wolf
Clark, J.	Goodno	Krinkie	Osskopp	Swenson	Workman
Daggett	Gunther	Kuisle	Ozment	Sykora	Spk. Sviggum

The motion did not prevail and the amendment was not adopted.

Davids was excused for the remainder of today's session.

Johnson offered an amendment to H. F. No. 2333, the third engrossment, as amended.

POINT OF ORDER

Seifert, M., raised a point of order pursuant to rule 4.03 relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills that the Johnson amendment was not in order. The Speaker ruled the point of order well taken and the Johnson amendment out of order.

Johnson appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Abrams moved that those not voting be excused from voting. The motion prevailed.

There were 68 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Harder	McElroy	Rostberg	Vandever
Abrams	Dorman	Holberg	Molnau	Seagren	Westerberg
Anderson, B.	Erhardt	Holsten	Mulder	Seifert, J.	Westfall
Bishop	Erickson	Howes	Ness	Seifert, M.	Westrom
Boudreau	Finseth	Kielkucki	Nornes	Smith	Wilkin
Bradley	Fuller	Knoblach	Olson	Stang	Wolf
Broecker	Gerlach	Krinkie	Osskopp	Storm	Workman
Buesgens	Goodno	Kuisle	Ozment	Swenson	Spk. Sviggum
Cassell	Gunther	Larsen, P.	Paulsen	Sykora	
Clark, J.	Haake	Leppik	Reuter	Tingelstad	
Daggett	Haas	Lindner	Rhodes	Tuma	
Dehler	Hackbarth	Mares	Rifenberg	Van Dellen	

Those who voted in the negative were:

Anderson, I.	Gleason	Juhnke	Mahoney	Paymar	Trimble
Bakk	Gray	Kahn	Mariani	Pelowski	Tunheim
Biernat	Greenfield	Kalis	Marko	Peterson	Wagenius
Carlson	Greiling	Kelliher	McCollum	Pugh	Wejman
Carruthers	Hasskamp	Koskinen	McGuire	Rest	Wenzel
Chaudhary	Hausman	Kubly	Milbert	Rukavina	Winter
Clark, K.	Hilty	Larson, D.	Mullery	Schumacher	
Dawkins	Huntley	Leighton	Murphy	Skoe	
Dorn	Jaros	Lenczewski	Opatz	Skoglund	
Entenza	Jennings	Lieder	Orfield	Solberg	
Folliard	Johnson	Luther	Otremba	Tomassoni	

So it was the judgment of the House that the decision of the Speaker should stand.

Biernat, Carlson, Schumacher and Tomassoni moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 45, line 28, reinstate the stricken "(f)"

Page 45, line 33, after the stricken "year" insert "special education funding percent means 75 percent in fiscal year 2002, 90 percent in fiscal year 2003, and 100 percent in fiscal years 2004 and later"

Page 45, line 33, reinstate the stricken period

Page 45, after line 33, insert:

"Sec. 13. Minnesota Statutes 1998, section 125A.76, subdivision 2, is amended to read:

Subd. 2. [SPECIAL EDUCATION BASE REVENUE.] (a) The special education base revenue equals the sum of the following amounts computed using base year data:

(1) ~~68~~ the special education funding percent of times the salary and benefits of each essential person employed in the district's program for children with a disability during the fiscal year, whether the person is employed by one or more districts or a Minnesota correctional facility operating on a fee-for-service basis;

(2) for the Minnesota state academy for the deaf or the Minnesota state academy for the blind, ~~68~~ the special education funding percent of times the salary and benefits of each instructional aide assigned to a child attending the academy, if that aide is required by the child's individual education plan;

(3) for special instruction and services provided to any pupil by contracting with public, private, or voluntary agencies other than school districts, in place of special instruction and services provided by the district, 52 percent of the difference between the amount of the contract and the basic revenue of the district for that pupil for the fraction of the school day the pupil receives services under the contract;

(4) for special instruction and services provided to any pupil by contracting for services with public, private, or voluntary agencies other than school districts, that are supplementary to a full educational program provided by the school district, 52 percent of the amount of the contract for that pupil;

(5) for supplies and equipment purchased or rented for use in the instruction of children with a disability an amount equal to 47 percent of the sum actually expended by the district, or a Minnesota correctional facility operating on a fee-for-service basis, but not to exceed an average of \$47 in any one school year for each child with a disability receiving instruction;

(6) for fiscal years 1997 and later, special education base revenue shall include amounts under clauses (1) to (5) for special education summer programs provided during the base year for that fiscal year; and

(7) for fiscal years 1999 and later, the cost of providing transportation services for children with disabilities under section 123B.92, subdivision 1, paragraph (b), clause (4).

(b) If requested by a school district operating a special education program during the base year for less than the full fiscal year, or a school district in which is located a Minnesota correctional facility operating on a fee-for-service basis for less than the full fiscal year, the commissioner may adjust the base revenue to reflect the expenditures that would have occurred during the base year had the program been operated for the full fiscal year.

(c) Notwithstanding paragraphs (a) and (b), the portion of a school district's base revenue attributable to a Minnesota correctional facility operating on a fee-for-service basis during the facility's first year of operating on a fee-for-service basis shall be computed using current year data.

(Effective Date: Section 13 (127A.76, subdivision 2) is effective July 1, 2001, for revenue for fiscal years 2002 and later.)"

Page 46, line 4, after the period, insert "The state total special education revenue for fiscal 2002 equals \$550,000,000. The state total special education revenue for fiscal year 2003 equals \$600,000,000. The state total special education revenue for fiscal year 2004 and later equals the amount for the previous year times the growth in special education revenue from the second previous year to the previous year."

A roll call was requested and properly seconded.

The question was taken on the Biernat et al amendment and the roll was called.

Seifert, M., moved that those not voting be excused from voting. The motion prevailed.

There were 55 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Johnson	Mariani	Paymar	Tuma
Bakk	Gleason	Juhnke	Marko	Pelowski	Tunheim
Biernat	Gray	Kahn	McCollum	Peterson	Wagenius
Carlson	Greenfield	Kelliher	McGuire	Pugh	Wejman
Carruthers	Greiling	Koskinen	Milbert	Rukavina	Winter
Chaudhary	Hasskamp	Kubly	Mullery	Schumacher	
Clark, K.	Hausman	Leighton	Murphy	Skoglund	
Dawkins	Hilty	Lieder	Orfield	Solberg	
Dorn	Huntley	Luther	Osthoff	Tomassoni	
Entenza	Jennings	Mahoney	Otremba	Trimble	

Those who voted in the negative were:

Abeler	Dorman	Holsten	McElroy	Rifenberg	Vandever
Abrams	Erhardt	Howes	Molnau	Rostberg	Wenzel
Anderson, B.	Erickson	Kalis	Mulder	Seagren	Westerberg
Bishop	Finseth	Kielkucki	Ness	Seifert, J.	Westfall
Boudreau	Fuller	Knoblach	Nornes	Seifert, M.	Westrom
Bradley	Gerlach	Krinkie	Olson	Skoe	Wilkin
Broecker	Goodno	Kuisle	Opatz	Smith	Wolf
Buesgens	Gunther	Larsen, P.	Osskopp	Stang	Workman
Cassell	Haake	Larson, D.	Ozment	Storm	Spk. Sviggum
Clark, J.	Haas	Lenczewski	Paulsen	Swenson	
Daggett	Hackbarth	Leppik	Rest	Sykora	
Dehler	Harder	Lindner	Reuter	Tingelstad	
Dempsey	Holberg	Mares	Rhodes	Van Dellen	

The motion did not prevail and the amendment was not adopted.

Otremba moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 33, line 36, after "that" insert "only"

A roll call was requested and properly seconded.

The question was taken on the Otremba amendment and the roll was called.

Abrams moved that those not voting be excused from voting. The motion prevailed.

There were 82 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Abeler	Finseth	Kalis	Molnau	Reuter	Tunheim
Anderson, B.	Fuller	Kielkucki	Mulder	Rifenberg	Van Dellen
Anderson, I.	Gerlach	Knoblach	Murphy	Rostberg	Vandever
Boudreau	Goodno	Krinkie	Ness	Seagren	Wenzel
Bradley	Gunther	Kubly	Nornes	Seifert, J.	Westerberg
Broecker	Haake	Kuise	Olson	Seifert, M.	Westfall
Buesgens	Haas	Larson, D.	Opatz	Skoe	Westrom
Cassell	Hackbarth	Lenczewski	Osskopp	Smith	Wilkin
Clark, J.	Harder	Lieder	Otremba	Stang	Winter
Daggett	Hasskamp	Lindner	Ozment	Storm	Wolf
Dehler	Holberg	Luther	Paulsen	Swenson	Workman
Dempsey	Holsten	Mares	Pelowski	Sykora	Spk. Sviggum
Dorn	Howes	McElroy	Peterson	Tingelstad	
Erickson	Juhnke	Milbert	Rest	Tuma	

Those who voted in the negative were:

Abrams	Dawkins	Hausman	Koskinen	McGuire	Skoglund
Bakk	Dorman	Hilty	Larsen, P.	Mullery	Solberg
Biernat	Erhardt	Huntley	Leighton	Orfield	Tomassoni
Bishop	Folliard	Jaros	Leppik	Osthoff	Trimble
Carlson	Gleason	Jennings	Mahoney	Paymar	Wagenius
Carruthers	Gray	Johnson	Mariani	Pugh	Wejcman
Chaudhary	Greenfield	Kahn	Marko	Rhodes	
Clark, K.	Greiling	Kelliher	McCollum	Rukavina	

The motion prevailed and the amendment was adopted.

Greiling offered an amendment to H. F. No. 2333, the third engrossment, as amended.

POINT OF ORDER

Knoblach raised a point of order pursuant to rule 4.03 relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills that the Greiling amendment was not in order. The Speaker ruled the point of order well taken and the Greiling amendment out of order.

Greiling appealed the decision of the Speaker.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Abrams moved to lay the Greiling appeal of the decision of the Speaker on the table.

A roll call was requested and properly seconded.

The question was taken on the Abrams motion and the roll was called. There were 68 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Harder	McElroy	Rostberg	Vandever
Abrams	Dorman	Holberg	Molnau	Seagren	Westerberg
Anderson, B.	Erhardt	Holsten	Mulder	Seifert, J.	Westfall
Bishop	Erickson	Howes	Ness	Seifert, M.	Westrom
Boudreau	Finseth	Kielkucki	Nornes	Smith	Wilkin
Bradley	Fuller	Knoblach	Olson	Stang	Wolf
Broecker	Gerlach	Krinkie	Osskopp	Storm	Workman
Buesgens	Goodno	Kuisle	Ozment	Swenson	Spk. Sviggum
Cassell	Gunther	Larsen, P.	Paulsen	Sykora	
Clark, J.	Haake	Leppik	Reuter	Tingelstad	
Daggett	Haas	Lindner	Rhodes	Tuma	
Dehler	Hackbarth	Mares	Rifenberg	Van Dellen	

Those who voted in the negative were:

Anderson, I.	Gleason	Juhnke	Mahoney	Otremba	Tomassoni
Bakk	Gray	Kahn	Mariani	Paymar	Trimble
Biernat	Greenfield	Kalis	Marko	Pelowski	Tunheim
Carlson	Greiling	Kelliher	McCollum	Peterson	Wagenius
Carruthers	Hasskamp	Koskinen	McGuire	Pugh	Wejzman
Chaudhary	Hausman	Kubly	Milbert	Rest	Wenzel
Clark, K.	Hilty	Larson, D.	Mullery	Rukavina	Winter
Dawkins	Huntley	Leighton	Murphy	Schumacher	
Dorn	Jaros	Lenczewski	Opatz	Skoe	
Entenza	Jennings	Lieder	Orfield	Skoglund	
Folliard	Johnson	Luther	Osthoff	Solberg	

The motion prevailed and the appeal of the decision of the Speaker was laid on the table.

Biernat moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 104, line 18, before "For" insert "(a)"

Page 104, line 22, before "Of" insert "(b)"

Page 104, line 26, before "\$100,000" insert "(c)"

Page 104, after line 36, insert:

"(d) Consistent with establishing statistically reliable norm-referenced interpretations under paragraph (c), and the provisions in Minnesota Statutes, section 120B.30, subdivision 1, paragraph (c), the independent office of educational accountability shall include in the comprehensive assessment system students' unweighted mean test scores in each tested subject excluding the test scores of any student whose score on a nationally normed English reading or English language arts achievement test is one-third of a standard deviation or more below the national

average score and who has been in the United States for fewer than 24 months. Students whose test scores are excluded under this paragraph remain subject to statewide testing requirements under Minnesota Statutes, section 120B.30 and related provisions."

Page 105, line 1, before "Any" insert "(e)"

The motion prevailed and the amendment was adopted.

Dorn moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 86, line 25, before the period, insert ", unless the first or second day that school is in session is devoted to parent-teacher conferences for grades 1 to 6, in which case such a day shall be counted as part of the minimum number of days of student instruction"

The motion did not prevail and the amendment was not adopted.

Kahn, Mariani, Leppik, Rhodes, Greiling, Hasskamp, Hilty, Biernat, Peterson, Trimble, Solberg, Oskopp and Clark, K., offered an amendment to H. F. No. 2333, the third engrossment, as amended.

Tomassoni requested a division of the Kahn et al amendment to H. F. No. 2333, the third engrossment, as amended.

The first portion of the Kahn et al amendment to H. F. No. 2333, the third engrossment, as amended, reads as follows:

Page 137, delete section 5

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The question was taken on the first portion of the Kahn et al amendment. The motion did not prevail and the first portion of the Kahn et al amendment was not adopted.

The second portion of the Kahn et al amendment to H. F. No. 2333, the third engrossment, as amended, reads as follows:

Page 138, line 16, before "In" insert "(a)"

Page 138, after line 18, insert:

"(b) The league may not enforce any national contest rule that directs or controls school purchasing of athletic supplies and equipment."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the second portion of the Kahn et al amendment and the roll was called.

Abrams moved that those not voting be excused from voting. The motion prevailed.

There were 63 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Juhnke	Lieder	Osthoff	Skoglund
Bakk	Gray	Kahn	Luther	Otremba	Solberg
Biernat	Greenfield	Kalis	Mahoney	Paulsen	Tomassoni
Carlson	Greiling	Kelliher	Mariani	Paymar	Trimble
Carruthers	Hasskamp	Koskinen	Marko	Peterson	Tunheim
Chaudhary	Hausman	Krinkie	McCollum	Pugh	Wagenius
Clark, K.	Hilty	Kubly	McGuire	Rest	Wejman
Dawkins	Huntley	Larson, D.	Milbert	Rhodes	Winter
Dorn	Jaros	Leighton	Mullery	Rukavina	
Entenza	Jennings	Lenczewski	Murphy	Schumacher	
Folliard	Johnson	Leppik	Orfield	Skoe	

Those who voted in the negative were:

Abeler	Dehler	Haas	Mares	Rifenberg	Tuma
Abrams	Dempsey	Hackbarth	McElroy	Rostberg	Van Dellen
Anderson, B.	Dorman	Harder	Molnau	Seagren	Vandever
Bishop	Erhardt	Holberg	Mulder	Seifert, J.	Wenzel
Boudreau	Erickson	Holsten	Ness	Seifert, M.	Westerberg
Bradley	Finseth	Howes	Nornes	Smith	Westfall
Broecker	Fuller	Kielkucki	Olson	Stang	Westrom
Buesgens	Gerlach	Knoblach	Opatz	Storm	Wilkin
Cassell	Goodno	Kuisle	Ozment	Swenson	Wolf
Clark, J.	Gunther	Larsen, P.	Pelowski	Sykora	Workman
Daggett	Haake	Lindner	Reuter	Tingelstad	Spk. Sviggum

The motion did not prevail and the second portion of the Kahn et al amendment was not adopted.

Rukavina moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 137, after line 21, insert:

"Sec. 5. Minnesota Statutes 1998, section 128C.01, is amended by adding a subdivision to read:

Subd. 4a. [APPEALS.] Members of the board of directors of the league may not hear an appeal from a school hearing panel's decision or a decision made by the league's executive director affecting eligibility issues. The schools that are parties to an appeal of a decision regarding eligibility shall select six teachers from schools having no

interest in the matter being appealed, including at least teachers of art, science, history, English, and mathematics, but excluding school athletic directors, to hear the appeal. The decision of the teachers on the appeal is a final decision of the league."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Wenzel moved to amend H. F. No. 2333, the third engrossment, as amended, as follows:

Page 135, after line 33, insert:

"Sec. 2. Minnesota Statutes 1998, section 43A.17, subdivision 9, is amended to read:

Subd. 9. [POLITICAL SUBDIVISION COMPENSATION LIMIT.] The salary and the value of all other forms of compensation of a person employed by a statutory or home rule charter city, county, town, school district, metropolitan or regional agency, or other political subdivision of this state ~~excluding a school district~~, or employed under section 422A.03, may not exceed 95 percent of the salary of the governor as set under section 15A.082, except as provided in this subdivision. Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. Other forms of compensation which shall be included to determine an employee's total compensation are all other direct and indirect items of compensation which are not specifically excluded by this subdivision. Other forms of compensation which shall not be included in a determination of an employee's total compensation for the purposes of this subdivision are:

(1) employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, vacation and sick leave allowances, health and dental insurance, disability insurance, term life insurance, and pension benefits or like benefits the cost of which is borne by the employee or which is not subject to tax as income under the Internal Revenue Code of 1986;

(2) dues paid to organizations that are of a civic, professional, educational, or governmental nature; and

(3) reimbursement for actual expenses incurred by the employee which the governing body determines to be directly related to the performance of job responsibilities, including any relocation expenses paid during the initial year of employment.

The value of other forms of compensation shall be the annual cost to the political subdivision for the provision of the compensation. The salary of a medical doctor or doctor of osteopathy occupying a position that the governing body of the political subdivision has determined requires an M.D. or D.O. degree is excluded from the limitation in this subdivision. The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the state and nation. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the legislative coordinating commission and received the commission's recommendation on it. The recommendation is advisory only. If the commission does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have recommended approval.

(Effective Date: Section 2 (43A.17, subdivision 9) is effective the day following final enactment.)

Sec. 3. Minnesota Statutes 1998, section 43A.17, subdivision 10, is amended to read:

Subd. 10. [LOCAL ELECTED OFFICIALS; CERTAIN COMPENSATION PROHIBITED.] The compensation plan for an elected official of a statutory or home rule charter city, county, ~~or town,~~ or school district may not include a provision for vacation or sick leave. The salary of an official covered by this subdivision may not be diminished because of the official's absence from official duties because of vacation or sickness.

(Effective Date: Section 3 (43A.17, subdivision 10) is effective the day following final enactment.)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Wenzel amendment and the roll was called.

Abrams moved that those not voting be excused from voting. The motion prevailed.

There were 46 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Abrams	Finseth	Howes	Luther	Pelowski	Tomassoni
Anderson, B.	Fuller	Jaros	Mahoney	Peterson	Trimble
Anderson, I.	Gerlach	Jennings	Marko	Pugh	Van Dellen
Bakk	Gleason	Johnson	McCullum	Rukavina	Vandever
Buesgens	Greenfield	Krinkie	Milbert	Seifert, M.	Wenzel
Carruthers	Hackbarth	Kubly	Olson	Smith	Winter
Chaudhary	Hasskamp	Larson, D.	Osthoff	Solberg	
Dawkins	Hausman	Lindner	Otremba	Swenson	

Those who voted in the negative were:

Abeler	Dorn	Holsten	Lieder	Ozment	Sykora
Biernat	Entenza	Huntley	Mares	Paulsen	Tingelstad
Bishop	Erhardt	Juhnke	Mariani	Paymar	Tuma
Boudreau	Erickson	Kahn	McElroy	Rest	Tunheim
Bradley	Folliard	Kalis	McGuire	Reuter	Wagenius
Broecker	Goodno	Kelliher	Molnau	Rhodes	Wejcman
Carlson	Gray	Kielkucki	Mulder	Rifenberg	Westerberg
Cassell	Greiling	Knoblach	Mullery	Rostberg	Westfall
Clark, J.	Gunther	Koskinen	Murphy	Seagren	Westrom
Clark, K.	Haake	Kuisle	Ness	Seifert, J.	Wilkin
Daggett	Haas	Larsen, P.	Nornes	Skoe	Wolf
Dehler	Harder	Leighton	Opatz	Skoglund	Workman
Dempsey	Hilty	Lenczewski	Orfield	Stang	Spk. Sviggum
Dorman	Holberg	Leppik	Osskopp	Storm	

The motion did not prevail and the amendment was not adopted.

H. F. No. 2333, A bill for an act relating to education; prekindergarten through grade 12; providing for general education; special programs; lifework development; facilities and technology; education excellence; other programs; nutrition programs; libraries; education policy; and state agencies; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 43A.18, subdivision 4a; 119A.01, subdivisions 1 and 2; 120A.22, subdivision 5; 120A.24, subdivision 1; 120A.41; 121A.15, subdivision 1; 121A.23; 121A.45, subdivision 2; 122A.07, subdivision 1; 122A.18, by adding a subdivision; 122A.28; 122A.60, subdivision 3; 122A.61, subdivisions 1 and 2; 123A.05, subdivision 2; 123A.48, subdivision 10; 123B.195; 123B.36, subdivision 1; 123B.49, subdivision 4; 123B.53, subdivisions 4, 5, and 6; 123B.54; 123B.57, subdivision 4; 123B.61; 123B.75, by adding a subdivision; 123B.79, by adding a subdivision; 123B.92, subdivision 9; 123B.93; 124C.55, by adding a subdivision; 124D.10, subdivisions 3, 4, 5, 6, 10, 11, and by adding a subdivision; 124D.11, subdivisions 4, 6, 7, 8, and by adding a subdivision; 124D.453, subdivision 3; 124D.454; 124D.68, subdivision 9; 124D.69, subdivision 1; 124D.87; 124D.88, subdivision 3; 124D.94, subdivisions 3, 6, and 7; 125A.09, subdivision 4; 125A.50, subdivisions 2 and 5; 125A.75, subdivision 8; 125A.76, subdivisions 1, 4, and 5; 125A.79, subdivisions 1, 2, and by adding subdivisions; 125B.05, subdivision 3; 125B.20; 126C.05, subdivisions 1, 3, 15, and by adding a subdivision; 126C.10, subdivisions 1, 2, 3, 4, 10, 14, 19, 21, and by adding subdivisions; 126C.12; 126C.13, subdivisions 1 and 2; 126C.15; 126C.17, subdivisions 2, 5, and 6; 126C.40, subdivision 4; 126C.42, subdivisions 1 and 2; 126C.46; 126C.63, subdivisions 5 and 8; 126C.69, subdivisions 2 and 9; 127A.44, subdivision 2; 127A.45, subdivisions 2, 3, 4, 13, and by adding a subdivision; 127A.47, subdivisions 2 and 7; 127A.49, subdivisions 2 and 3; 128C.01, subdivisions 4 and 5; 128C.02, by adding a subdivision; 128C.12, subdivision 1; 128C.20; and 626.556, by adding a subdivision; Laws 1993, chapter 224, article 3, section 32, as amended; Laws 1995, First Special Session chapter 3, article 12, section 7, as amended; Laws 1996, chapter 412, article 1, section 35; Laws 1997, First Special Session chapter 4, article 1, section 61, subdivisions 1, 2, 3, as amended, and 4; article 2, section 51, subdivision 29, as amended; article 8, section 4; article 9, section 13; and Laws 1998, chapter 397, article 12, section 8; chapter 398, article 6, sections 38 and 39; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 124D; 125A; 125B; 128C; and 134; repealing Minnesota Statutes 1998, sections 120B.05; 122A.31, subdivision 4; 123B.05; 123B.64, subdivisions 1, 2, 3, and 4; 123B.92, subdivisions 2, 4, 6, 7, 8, and 10; 124D.112; 124D.113; 124D.116; 124D.24; 124D.25; 124D.26; 124D.27; 124D.28; 124D.29; 124D.30; 124D.32; 124D.453; 124D.65, subdivision 3; 124D.67; 124D.70; 124D.90; 125A.76, subdivision 6; 125A.77; 125A.79, subdivision 3; 126C.05, subdivision 4; 126C.06; 127A.45, subdivision 5; 134.155; 135A.081; Laws 1995, First Special Session chapter 3, article 3, section 11; Laws 1997, First Special Session chapter 4, article 1, section 62, subdivision 5; article 2, section 51, subdivision 10; article 3, section 5; and article 8, section 5; and Laws 1998, chapter 398, article 2, section 57.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 90 yeas and 40 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hasskamp	Lieder	Paulsen	Swenson
Abrams	Dorman	Holberg	Lindner	Pelowski	Sykora
Anderson, B.	Dorn	Holsten	Luther	Peterson	Tingelstad
Biernat	Erhardt	Howes	Mares	Rest	Tuma
Bishop	Erickson	Jennings	Marko	Rhodes	Tunheim
Boudreau	Finseth	Juhnke	McElroy	Rifenberg	Van Dellen
Bradley	Fuller	Kielkucki	McGuire	Rostberg	Vandever
Broecker	Gerlach	Knoblach	Molnau	Schumacher	Wenzel
Buesgens	Goodno	Koskinen	Mulder	Seagren	Westerberg
Carlson	Greiling	Krinkie	Ness	Seifert, J.	Westfall
Cassell	Gunther	Kubly	Nornes	Seifert, M.	Westrom
Chaudhary	Haake	Kuisle	Olson	Skoe	Wilkin
Clark, J.	Haas	Larsen, P.	Osskopp	Smith	Wolf
Daggett	Hackbarth	Leighton	Otremba	Stang	Workman
Dehler	Harder	Leppik	Ozment	Storm	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Gleason	Johnson	Mariani	Osthoff	Tomassoni
Bakk	Gray	Kahn	McCollum	Paymar	Trimble
Carruthers	Greenfield	Kalis	Milbert	Pugh	Wagenius
Clark, K.	Hausman	Kelliher	Mullery	Reuter	Wejcman
Dawkins	Hilty	Larson, D.	Murphy	Rukavina	Winter
Entenza	Huntley	Lenczewski	Opatz	Skoglund	
Folliard	Jaros	Mahoney	Orfield	Solberg	

The bill was passed, as amended, and its title agreed to.

CALL OF THE HOUSE LIFTED

Abrams moved that the call of the House be suspended. The motion prevailed and it was so ordered.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Bishop announced his intention to place H. F. No. 2388 on the Fiscal Calendar for Tuesday, April 27, 1999.

MESSAGES FROM THE SENATE, Continued

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1002, 1329, 23, 1615, 145 and 1219.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1002, A bill for an act relating to crime prevention; specifying that a conviction for neglect or endangerment of a child is not a bar for a conviction of another offense committed as part of the same conduct and authorizing consecutive sentences in these situations; imposing criminal penalties for placing a booby trap in locations where controlled substances are manufactured; providing for increased penalties for the theft of anhydrous ammonia; creating the crime of laser assault; imposing criminal penalties; amending Minnesota Statutes 1998, sections 609.035, subdivisions 1, 3, 4, and by adding a subdivision; 609.378, by adding a subdivision; and 609.52, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time.

Fuller moved that S. F. No. 1002 and H. F. No. 1055, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1329, A bill for an act relating to cities; limiting license fees on coin and currency activated amusement machines; proposing coding for new law in Minnesota Statutes, chapter 449.

The bill was read for the first time.

Leighton moved that S. F. No. 1329 and H. F. No. 1140, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 23, A bill for an act relating to family law; repealing the administrative process for support orders; establishing a child support magistrate system; amending Minnesota Statutes 1998, sections 357.021, subdivision 1a; 484.70, subdivision 1; 518.54, by adding a subdivision; 518.551, subdivisions 9, 12, 13, and 14; 518.575, subdivision 1; 518.616, subdivision 1; and 552.05, subdivision 10; Laws 1998, chapter 338, section 8; proposing coding for new law in Minnesota Statutes, chapters 484; and 518; repealing Minnesota Statutes 1998, sections 518.5511; and 518.5512.

The bill was read for the first time and referred to the Committee on Ways and Means.

S. F. No. 1615, A bill for an act relating to human services; establishing a task force to develop a new day training and habilitation payment rate structure with technical assistance from the commissioner of human services.

The bill was read for the first time.

Boudreau moved that S. F. No. 1615 and H. F. No. 1933, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 145, A bill for an act relating to ethics in government; clarifying and simplifying the law related to lobbyist registration, conflicts of interest, and campaign finance; eliminating invalid provisions; amending Minnesota Statutes 1998, sections 10A.01; 10A.02, as amended; 10A.03; 10A.04; 10A.05; 10A.06; 10A.065, subdivisions 1, 1a, and 3; 10A.08; 10A.09; 10A.10; 10A.11; 10A.12; 10A.13; 10A.14; 10A.15; 10A.16; 10A.17; 10A.18; 10A.19; 10A.20; 10A.22, subdivisions 6 and 7; 10A.23; 10A.24; 10A.241; 10A.242; 10A.25; 10A.255, subdivisions 1 and 3; 10A.265; 10A.27; 10A.275, subdivision 1; 10A.28; 10A.29; 10A.30, subdivision 1; 10A.31; 10A.315; 10A.321; 10A.322; 10A.323; 10A.324, subdivisions 1 and 3; 10A.34; 200.02, by adding a subdivision; and 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1998, sections 10A.065, subdivision 5; 10A.22, subdivisions 1, 4, and 5; 10A.255, subdivision 2; 10A.275, subdivisions 2 and 3; 10A.324, subdivisions 2 and 4; 10A.325; 10A.335; 10A.40; 10A.41; 10A.42; 10A.43; 10A.44; 10A.45; 10A.46; 10A.47; 10A.48; 10A.49; 10A.50; and 10A.51.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

S. F. No. 1219, A bill for an act relating to health; establishing a uniform complaint resolution process for health plan companies; establishing an external review process; amending Minnesota Statutes 1998, sections 62D.11, subdivision 1; 62M.01; 62M.02, subdivisions 3, 4, 5, 6, 7, 9, 10, 11, 12, 17, 20, 21, and by adding a subdivision; 62M.03, subdivisions 1 and 3; 62M.04, subdivisions 1, 2, 3, and 4; 62M.05; 62M.06; 62M.07; 62M.09, subdivision 3; 62M.10, subdivisions 2, 5, and 7; 62M.12; 62M.15; 62Q.106; 62Q.19, subdivision 5a; 62T.04; 72A.201, subdivision 4a; and 256B.692, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 62D; and 62Q; repealing Minnesota Statutes 1998, sections 62D.11, subdivisions 1b and 2; 62Q.105; and 62Q.30; Minnesota Rules, parts 4685.0100, subparts 4 and 4a; 4685.1010, subpart 3; and 4685.1700.

The bill was read for the first time.

Goodno moved that S. F. No. 1219 and H. F. No. 1303, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 270

A bill for an act relating to insurance; prohibiting a maximum lifetime benefit limit on certain policies of the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1998, section 62E.12.

April 22, 1999

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

We, the undersigned conferees for H. F. No. 270, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 270 be further amended as follows:

Page 1, line 15, delete "\$3,000,000" and insert "\$2,800,000"

Amend the title as follows:

Page 1, line 2, delete "prohibiting a" and insert "increasing the"

We request adoption of this report and repassage of the bill.

House Conferees: MIKE OSSKOPP, GREGORY M. DAVIDS AND TOM OSTHOFF.

Senate Conferees: STEVE L. MURPHY, DEANNA L. WIENER AND EDWARD C. OLIVER.

Osskopp moved that the report of the Conference Committee on H. F. No. 270 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 270, A bill for an act relating to insurance; prohibiting a maximum lifetime benefit limit on certain policies of the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1998, section 62E.12.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Bishop	Broecker	Carruthers	Clark, K.
Abrams	Bakk	Boudreau	Buesgens	Chaudhary	Daggett
Anderson, B.	Biernat	Bradley	Carlson	Clark, J.	Dawkins

Dehler	Harder	Kubly	Mulder	Reuter	Tuma
Dempsey	Hasskamp	Kuise	Mullery	Rhodes	Tunheim
Dorman	Hausman	Larsen, P.	Murphy	Rifenberg	Van Dellen
Dorn	Hilty	Larson, D.	Ness	Rostberg	Vandever
Entenza	Holberg	Leighton	Nornes	Rukavina	Wagenius
Erhardt	Holsten	Lenczewski	Olson	Schumacher	Wenzel
Erickson	Howes	Leppik	Opatz	Seagren	Westerberg
Finseth	Huntley	Lieder	Orfield	Seifert, J.	Westfall
Folliard	Jaros	Lindner	Osskopp	Seifert, M.	Westrom
Fuller	Jennings	Luther	Osthoff	Skoe	Wilkin
Gerlach	Johnson	Mahoney	Otremba	Skoglund	Winter
Gleason	Juhnke	Mares	Ozment	Smith	Wolf
Goodno	Kahn	Mariani	Paulsen	Solberg	Workman
Gray	Kalis	Marko	Pawlenty	Stang	Spk. Sviggum
Greenfield	Kelliher	McCollum	Paymar	Storm	
Greiling	Kielkucki	McElroy	Pelowski	Swenson	
Gunther	Knoblach	McGuire	Peterson	Sykora	
Haas	Koskinen	Milbert	Pugh	Tomassoni	
Hackbarth	Krinkie	Molnau	Rest	Trimble	

The bill was repassed, as amended by Conference, and its title agreed to.

CALENDAR FOR THE DAY

Pawlenty moved that the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

House Resolution No. 6 was reported to the House.

HOUSE RESOLUTION NO. 6

A house resolution honoring the Veterans of Foreign Wars on the occasion of its Centennial celebration.

Whereas, America's victory in the Spanish American War meant that Cuba was freed from Spanish rule and America rose to become a world power, taking possession of the Philippines, Guam, and Puerto Rico; and

Whereas, after this triumph, however, many U. S. veterans returned home wounded or sick to find that there was no medical care or veterans pensions available to them, leaving them to care for themselves; and

Whereas, seeing a need, many of these veterans banded together to form organizations such as the American Veterans of Foreign Service in Ohio and the Society of the Army of the Philippines in Colorado, which would both later merge with other similar organizations, and by the start of World War I the name "Veterans of Foreign Wars of the United States" was adopted; and

Whereas, the VFW grew rapidly, was instrumental in the creation of what is now called the Department of Veterans Affairs, and today is the nation's oldest major veterans organization, boasting over 2 million members; and

Whereas, the VFW continues to provide assistance to veterans and their families by helping them to obtain entitlements, working with Congress in writing and passing veterans legislation, and providing such services as: college scholarships through its Voice of Democracy program; disaster relief to flood, hurricane, and earthquake victims; memorials commemorating veterans' contributions to America; contributing time to numerous volunteer community service projects; raising money for needy veterans; and collecting millions of dollars for cancer research through the Ladies Auxiliary to the VFW; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it extends congratulations to the VFW on its 100th anniversary, and that it recognizes the Veterans of Foreign Wars for its noble and valuable contributions to our nation and its veterans.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to the Veterans of Foreign Wars national headquarters.

McCollum moved that House Resolution No. 6 be now adopted. The motion prevailed and House Resolution No. 6 was adopted.

CALL OF THE HOUSE

On the motion of Reuter and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Erhardt	Jaros	Mares	Paymar	Sykora
Anderson, B.	Erickson	Jennings	Mariani	Pelowski	Tomassoni
Anderson, I.	Finseth	Juhnke	Marko	Peterson	Trimble
Bakk	Folliard	Kahn	McCollum	Pugh	Tuma
Biernat	Fuller	Kalis	McElroy	Rest	Tunheim
Bishop	Gerlach	Kelliher	McGuire	Reuter	Van Dellen
Bradley	Gleason	Kielkucki	Milbert	Rhodes	Vandever
Broecker	Goodno	Knobloch	Molnau	Rifenberg	Wagenius
Buesgens	Gray	Koskinen	Mulder	Rostberg	Wenzel
Carlson	Greenfield	Krinkie	Mullery	Rukavina	Westerberg
Carruthers	Greiling	Kubly	Murphy	Schumacher	Westfall
Cassell	Gunther	Kuisle	Nornes	Seagren	Westrom
Chaudhary	Haas	Larsen, P.	Olson	Seifert, J.	Wilkin
Clark, J.	Hackbarth	Larson, D.	Opatz	Seifert, M.	Winter
Clark, K.	Harder	Leighton	Orfield	Skoe	Wolf
Daggett	Hasskamp	Lenczewski	Osskopp	Skoglund	Workman
Dehler	Hausman	Leppik	Osthoff	Smith	Spk. Sviggum
Dempsey	Hilty	Lieder	Otremba	Solberg	
Dorman	Holberg	Lindner	Ozment	Stang	
Dorn	Howes	Luther	Paulsen	Storm	
Entenza	Huntley	Mahoney	Pawlenty	Swenson	

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

AMENDMENT TO THE PERMANENT
RULES OF THE HOUSE

Reuter moved to amend Rule 1.01 of the Permanent Rules of the House for the 81st Session as follows:

"1.01 CONVENING OF THE HOUSE. Unless otherwise ordered, the House convenes at 2:30 p.m. The Speaker must take the chair at the appointed hour and call the House to order.

The call to order is followed by a ~~nondenominational~~ prayer by the Chaplain ~~that respects the religious diversity of the House~~, or time for a brief meditation, then by the pledge of allegiance to the flag of the United States of America, and then by a call of the roll of members. The names of members present and members excused must be entered in the Journal of the House."

A roll call was requested and properly seconded.

MOTION TO LAY ON THE TABLE

Erhardt moved to lay the Reuter amendment to the Permanent Rules of the House on the table.

A roll call was requested and properly seconded.

The question was taken on the Erhardt motion and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion did not prevail.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 57 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Erhardt	Jennings	Luther	Orfield	Solberg
Bakk	Folliard	Juhnke	Mahoney	Osthoff	Tomassoni
Biernat	Gleason	Kahn	Mariani	Peterson	Trimble
Carlson	Gray	Kelliher	Marko	Pugh	Tunheim
Carruthers	Greenfield	Koskinen	McCollum	Rest	Wagenius
Chaudhary	Greiling	Larson, D.	McGuire	Rhodes	Wejzman
Clark, K.	Hausman	Leighton	Milbert	Rukavina	Winter
Dawkins	Hilty	Lenczewski	Mullery	Schumacher	
Dorn	Huntley	Leppik	Murphy	Skoe	
Entenza	Jaros	Lieder	Opatz	Skoglund	

Those who voted in the negative were:

Abeler	Cassell	Erickson	Haas	Howes	Kuisle
Anderson, B.	Clark, J.	Finseth	Hackbarth	Kalis	Larsen, P.
Bishop	Daggett	Fuller	Harder	Kielkucki	Lindner
Bradley	Dehler	Gerlach	Hasskamp	Knoblack	Mares
Broecker	Dempsey	Goodno	Holberg	Krinkie	McElroy
Buesgens	Dorman	Gunther	Holsten	Kubly	Molnau

Mulder	Ozment	Rifenberg	Stang	Vandever	Wolf
Ness	Paulsen	Rostberg	Storm	Wenzel	Workman
Nornes	Pawlenty	Seagren	Swenson	Westerberg	Spk. Sviggum
Olson	Paymar	Seifert, J.	Sykora	Westfall	
Osskopp	Pelowski	Seifert, M.	Tuma	Westrom	
Otremba	Reuter	Smith	Van Dellen	Wilkin	

The motion did not prevail.

POINT OF ORDER

Pugh raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure," relating to Personalities Not Permitted in Debate. The Speaker ruled the point of order not well taken.

Bishop requested a division of the Reuter amendment to the Permanent Rules of the House.

The first portion of the Reuter amendment to the Permanent Rules of the House reads as follows:

"1.01 CONVENING OF THE HOUSE. Unless otherwise ordered, the House convenes at 2:30 p.m. The Speaker must take the chair at the appointed hour and call the House to order

The call to order is followed by a ~~nondenominational~~ prayer."

A roll call was requested and properly seconded.

The question was taken on the first portion of the Reuter amendment and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 73 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Abeler	Erickson	Holsten	Molnau	Rostberg	Wenzel
Anderson, B.	Finseth	Howes	Mulder	Schumacher	Westerberg
Bishop	Folliard	Kalis	Ness	Seagren	Westfall
Bradley	Fuller	Kielkucki	Nornes	Seifert, J.	Westrom
Broecker	Gerlach	Knoblach	Olson	Seifert, M.	Wilkin
Buesgens	Goodno	Krinkie	Osskopp	Smith	Wolf
Cassell	Greiling	Kubly	Otremba	Stang	Workman
Clark, J.	Gunther	Kuisle	Ozment	Storm	Spk. Sviggum
Daggett	Haas	Larsen, P.	Paulsen	Swenson	
Dehler	Hackbarth	Lenczewski	Pawlenty	Sykora	
Dempsey	Harder	Lindner	Pelowski	Tuma	
Dorman	Hasskamp	Mares	Reuter	Van Dellen	
Dorn	Holberg	McElroy	Rifenberg	Vandever	

Those who voted in the negative were:

Abrams	Biernat	Chaudhary	Entenza	Gray	Hilty
Anderson, I.	Carlson	Clark, K.	Erhardt	Greenfield	Huntley
Bakk	Carruthers	Dawkins	Gleason	Hausman	Jaros

Jennings	Leighton	Marko	Opatz	Rhodes	Trimble
Juhnke	Leppik	McCollum	Orfield	Rukavina	Tunheim
Kahn	Lieder	McGuire	Osthoff	Skoe	Wagenius
Kelliher	Luther	Milbert	Peterson	Skoglund	Wejcman
Koskinen	Mahoney	Mullery	Pugh	Solberg	Winter
Larson, D.	Mariani	Murphy	Rest	Tomassoni	

Not having received the required two-thirds vote the motion did not prevail and the first portion of the Reuter amendment was not adopted.

The second portion of the Reuter amendment to the Permanent Rules of the House reads as follows:

" by the Chaplain ~~that respects the religious diversity of the House,~~ or time for a brief meditation, then by the pledge of allegiance to the flag of the United States of America, and then by a call of the roll of members. The names of members present and members excused must be entered in the Journal of the House."

A roll call was requested and properly seconded.

The question was taken on the second portion of the Reuter amendment and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 56 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeler	Finseth	Knoblach	Nornes	Seifert, J.	Westfall
Anderson, B.	Fuller	Krinkie	Olson	Seifert, M.	Westrom
Bradley	Gerlach	Kubly	Osskopp	Smith	Wilkin
Broecker	Gunther	Kuisele	Ozment	Stang	Wolf
Buesgens	Haas	Larsen, P.	Paulsen	Storm	Workman
Cassell	Hackbarth	Lindner	Pawlenty	Swenson	Spk. Sviggum
Daggett	Harder	Mares	Reuter	Sykora	
Dehler	Holsten	Molnau	Rifenberg	Van Dellen	
Dempsey	Howes	Mulder	Rostberg	Vandever	
Erickson	Kielkucki	Ness	Seagren	Westerberg	

Those who voted in the negative were:

Abrams	Clark, J.	Gleason	Holberg	Koskinen	Mariani
Anderson, I.	Clark, K.	Goodno	Huntley	Larson, D.	Marko
Bakk	Dawkins	Gray	Jaros	Leighton	McCollum
Biernat	Dorman	Greenfield	Jennings	Lenczewski	McElroy
Bishop	Dorn	Greiling	Juhnke	Leppik	McGuire
Carlson	Entenza	Hasskamp	Kahn	Lieder	Milbert
Carruthers	Erhardt	Hausman	Kalis	Luther	Mullery
Chaudhary	Folliard	Hilty	Kelliher	Mahoney	Murphy

Opatz	Paymar	Rest	Skoe	Trimble	Wejman
Orfield	Pelowski	Rhodes	Skoglund	Tuma	Wenzel
Osthoff	Peterson	Rukavina	Solberg	Tunheim	Winter
Otremba	Pugh	Schumacher	Tomassoni	Wagenius	

Not having received the required two-thirds vote the motion did not prevail and the second portion of the Reuter amendment was not adopted.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 383:

Abeler; Clark, K., and Otremba.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1202:

Goodno, Knoblach and Wenzel.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2221:

Broecker; Larsen, P.; Holberg; Murphy and Stanek.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 10:00 a.m., Tuesday, April 27, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Tuesday, April 27, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

